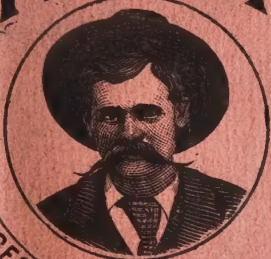


LIFE OF THE MARLOWS



GEORGE



BOONE

A TALE OF ADVENTURE



CHARLEY

AS RELATED BY THEMSELVES



ALBERT



LEWELLEN

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CHARLES AND GEORGE MARLOW.



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AS RELATED BY THEMSELVES.

ILLUSTRATED.

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LIFE OF THE MARLOWS.

CHAPTER I.

PIONEER DAYS—AN INDIAN SCARE.

IN Nashville, Tennessee, in 1822, there lived in happiness and comparative prosperity a very youthful married couple, the husband being scarce eighteen years of age. This was the handsome and ever good-natured Williamson Marlow Sr. and his child-wife.

After the birth of their first child they moved to Missouri, and a few years later, when three little pledges of love had gathered about the family fireside, the grim King of Terrors came in the still hours of night and robbed that peaceful little home of its dearest treasure—a mother's love and watchful care. A tiny spark of humanity was placed in the young widower's arms, making four little ones for the grief-stricken Williamson to be both father and mother to, and on that memorable day life lost for him its charm. Grief for the loss of a dutiful wife and loving mother knocked at his heart with a knell and he became for a time a wanderer, a brother and sister caring for the children. But time heals all wounds, and so after the keen edge of his sorrow had worn away to some extent and it became possible to apply himself to any kind of work he took up the study of human ills and their cures.

About two years later, while on his way across the hills and prairies between Pike county and Jefferson City, on the green banks of a little stream that gurgled noisily on its hurried way towards the great Missouri, he met pretty little

Martha and sturdy John Keton, who were preparing fish for their evening repast. It was a handsome picture. The red summer sun sinking to rest in its bed of crimson just beyond the tree tops, the bright foliage bending over the busy little brook, the shrilling of the insects in the grass and the chirp of the birds among the tall sumac bushes, the honest face of the lad who was helping his sister prepare the supper, and the beautiful little maid herself, all formed an entrancing panorama, pleasing alike to the sight and senses. No wonder, then, that he tarried here to rest, and no wonder, either, that the sweet smile and winning ways of the gentle Martha were the cause of prolonging his stay from hours to days and from days to weeks. 'Twas the same old story that is forever new—you know how it always ends. In a short time the once gay Williamson, though now the grave and dignified Dr. Marlow, took pretty little Martha Keton for a wife, and hand in hand they started down life's pathway. This second child-wife was a direct descendant of that famous man and honest pioneer, Daniel Boone.

After a number of peaceful and prosperous years had passed, during which two little daughters were sent by a kind providence to brighten their home, the great gold excitement of '49 attracted the Doctor's attention to California, and, like thousands of others, he wended his way to that land where the shining treasure lies hidden within the rugged mountains and fortunes were made and lost in a day. It was during these trying times that Martha showed her sterling worth, and for two years, although yet in her teens, she filled the place of father and mother to six little children, four of them not her own. The mad rush for the Golden Gate country continued, and many men left their families and spent their last dollar to get there, only to return broken financially and in health. Others, more fortunate, came home with bright hopes and well-filled purses, and Dr. Marlow was among the latter, for while scores and hundreds around him failed, he succeeded beyond his brightest hopes.

Shortly after Dr. Marlow's return his oldest child, a

daughter, was married, and about the same time his first son, James Robert, in his fourteenth year, set out to view the wonders of the Pacific coast. The following spring the family moved to Sherman, Texas, where they resided in a log cabin that stood where now the finest business blocks of that city are erected. But the memory of old Missouri was bright in the mind of Martha, and accordingly back they went, and two months after again arriving there Williamson Marlow, jr., was born. Years of domestic tranquility passed, and another daughter and another son arrived to cheer the home, and shortly after the birth of George they again made their way to Texas and back. Then came the birth of Charles Alfred and Boone and an emigration to the great silver mountains of Colorado.

It was in the balmy season of spring when a train of one hundred wagons set out to cross the plains of Kansas and penetrate the gulches, glens and valleys of Colorado, and did time and space permit, a description of the vicissitudes of the journey would be given. Their first Indian scare happened one lovely evening after supper. The wagons had been corraled, the evening meal cooked over the blazing camp fires and devoured with the keen relish of hardy pioneers, and then as first one and then another of the men knocked the ashes out of their pipes and settled themselves comfortably around the cheerful fires, the alarm of Indians was noised throughout the camp. Instantly everyone was on the alert for they knew what that meant. The women and children huddled together with fear depicted upon their blanched faces, and every man reached for his gun. Only those who have experienced such a situation can appreciate its horrors. Hist! What is that? Indians, sure, crossing the creek above and below. Another moment and they will be in their midst, and with stern looks and set teeth each man stood ready to die if need be for the wife and little ones that crouched in the wagons, expecting the horrible war whoop every second. The determined look upon their faces boded no good for the unlucky redskin that fell

into their hands. One, two, three and not there yet—what did it mean? Were they to be taken by surprise? The seconds lengthened into minutes and the minutes into an hour and still that never ceasing splash, splash, in the creek below was continued. Were all the Indians in North America crossing there to-night? Heavens! The strain of this suspense can be borne no longer. Someone must reconnoitre. Who will volunteer? All felt that it meant death to venture outside the corral, yet the danger must be met. One man comes forward into the firelight, rifle in hand, and while the night breezes lift the dark hair from the white forehead the clear voice of Dr. Marlow speaks from the height that towers above other men, and says: "My friends, I will make this investigation." At the same time a slight, boyish form rising by the grave doctor's side announces an intention of going, too. It was young Williamson, and as his father nodded his assent the two turned and disappeared in the darkness among the trees that fringe the banks of the little stream.

All held their breath in the silence of dread, while the brave doctor and his son moved cautiously toward the sound in the waters of the creek. After crawling along stealthily for a few hundred yards they arose to a standing position where they commanded a view of the water below. A smile flitted across the doctor's face, and a merry ripple of laughter came from Willie, for there in plain sight was the cause of all their anxiety. The supposed Indians proved to be a band of beavers, very busily engaged in erecting their mansions.

After enjoying the sight for a few moments they made their way back to camp, and among the men, who stood in amazement to see them return with whole scalps. Willie crept slyly under his blanket to keep from being questioned, while the doctor proceeded very unconcernedly to fill and light his pipe. Then he told them the cause of all the scare, and a big laugh went up as they all stacked their arms and once more gathered around the camp fire. The darkness deepened, the fires flickered low, and silence settled down

over the camp once more as each one prepared for rest and sleep, silently breathing a prayer of thankfulness that the bloodthirsty Indians had turned out to be nothing more formidable than a band of busy little beavers.

CHAPTER II.

ADVENTURES IN THE SOUTHWEST—A LOVE AFFAIR.

THE Marlow family located near Denver in 1865, and at that place the two oldest daughters of Martha, Nannie and Charlotte, were married to two worthy brothers, John and William Murphy. The girls were young to leave a mother's care, being about 13 and 17, but love triumphed over reason, as usual, and the weddings took place on the same day, amid the ringing of bells, feasting and much enjoyment.

Next year found Dr. Marlow and his family again back in Missouri, the spirit of travel and a disposition to see the world preventing him from being contented more than a year or two in one place, and near Carthage, on the 14th of October, the youngest of the five brothers, who have in late years become so famous for dangers overcome and adventures encountered, was born.

About this time P. M. Marlow and Bithel came in from Texas to visit their father for the first time in a number of years. They had become separated during the war, as the former was in the Confederate service, and while conveying important documents from one post to another was taken prisoner and confined in a Northern prison. Both were married, the former to a daughter of J. W. Whiteaker, a wealthy planter of Austin, Texas, and the latter to a Miss Howe, of Booneville, Missouri. When the elder son returned to his far away Texas home, Williamson, jr., accompanied him, and shortly after Dr. Marlow himself journeyed thither to visit and see the country. Father and son then purchased a large herd of cattle and drove them to a northern market

and after selling off the stock and getting a supply of mules, wagons and provisions the entire family returned to the Lone Star State. A few years later both P. M. and Bithel died and were laid to rest near their Texas homes. These two, as was James, were the sons of Dr. Marlow's first wife.

Not long after this Eliza, the fourth and only single daughter, was married to a Gainesville gentleman named Gilmore, and the doctor, with the balance of his family, removed to the Indian Territory. where he settled down to the practice of his profession.

This section of country was wild and lawless in those days, and dangers beset the few inhabitants on every hand. Wild and hostile bands of Indians made life full of constant terror, outlaws and gangs of desperate men roamed the country at will, and dark deeds that will never be told were daily and hourly committed. Disputes were more often settled with the ever-handy six-shooter than by process of law, and crime and wrong-doing ran riot through the land.

One morning in the next July, while four of the Marlows and two Poe boys, neighbors, were plowing corn, a clear, ringing pistol shot was heard close by, followed by five more in quick succession, and while the smaller boys climbed upon the horses and plowbeams in an endeavor to look out over the towering corn, the older ones hastened toward the spot where the tiny puffs of smoke slowly ascended upward on the summer air. What was it? Only a misunderstanding between a couple of men over a trivial matter, and one lies weltering in his blood upon the ground, pierced by five leaden bullets, while the other strolled unconcernedly away. The wounded man, one Jack Stimer, was hastily conveyed to the residence of Dr. Marlow, where by careful nursing and the doctor's remarkable skill as a surgeon, he finally recovered after months of lingering suffering. No arrests were ever made and no questions asked. Such were the customs of the day, and such scenes were nothing unusual or to be wondered at.

From hunting and trapping so continually these boys

at a very early age found themselves possessed of quite an amount of money, and the question arose as to what they had better do with it. Their worldly possessions, like their joys and sorrows, were shared jointly, and so whatever was the fortune or misfortune of one was likewise that of six. They finally decided to invest in horses and cattle, take them out of the Chickasaw Nation and pasture near the Comanche reservation where there were no settlers and where there was always a ready market for trail cattle at the Indian agency.

There were a great many hostile Indians at this time, and the white man who braved the dangers of settlement among them did so at the daily and hourly peril of his life. Often were these boys forced to flee for their lives or make a desperate fight to save their scalps from the clutches of the red devils, and many is the hairbreadth escape and thrilling danger they experienced. A peculiar characteristic was noticed in Charley, which this wild life brought out and which gained for him the nickname of "The Fawn." Whenever the cry of Indians was given he would always run in exactly the direction he happened to be turned at the time, and very often fleeing in the opposite direction from camp. One morning while he and a small party of cowboys were out with their cattle a band of about fifty hostiles dashed in among them, uttering the most unearthly yells and war whoops, brandishing guns and tomahawks and stampeding the cattle in all directions. A lively skirmish ensued and a brisk rattle of firearms was heard from the fearless little group of herders, who slowly retreated toward camp and kept a shower of lead from their Winchesters pouring into the painted and yelling devils who were circling around them and scaring the cattle away over the prairies. All succeeded in reaching the camp safely with the exception of a few flesh wounds which were minded very little, but upon roll call Charley was nowhere to be seen. Search was immediately instituted and the brush over the prairies and along the draws carefully examined, no one doubting but what his mangled body would be found, stripped of its clothes, arms and scalp.

But not a trace of him was seen, and after two days of search they concluded that he must have been taken away by the Indians into captivity. On the evening of the second day, while all were mourning him as lost, perhaps forever, in walked Charley, weary, footsore and hungry. When the Indians had dashed in among them he had run, as usual, in the direction he happened to be facing, and that being directly opposite to where he ought to have fled, he lost himself on the open prairie in consequence and wandered around for two days and a night before finding his way back to the camp. The Indians kept on their mad ride across the country, leaving death, destruction, ruin and disaster in their wake. The families of over twenty settlers were murdered and mutilated by them on that same raid, the houses burned to the ground, the stock run off and the women carried into captivity to meet a fate far worse than death.

After a year of this dangerous existence they moved nearer civilization and settled at Blue Grove, having at that time four hundred cattle and fifty head of horses. While here a serious misfortune overtook them, entailing much loss. Many will remember the disastrous fires which swept the country between Kansas and Texas in '75—it was a sight and an experience of a life time. For the Marlowes this great conflagration destroyed sixty head of cattle and hundreds of tons of hay and bushels of corn, and in fact swept away the bulk of all they had on earth save the house they lived in, which was only saved from the flames by the most tireless efforts in fighting fire for several days.

A fire in a prairie country is an awful spectacle. For days before that raging sea of flames reached their humble log cabin it could be seen far away on the horizon like a wave of crimson fire upon the sky. Traveling with the velocity of the wind, it came rolling and sweeping on like a roaring avalanche of hell; a seething, scorching, devastating and death-dealing scourge that left naught in its blackened track but ruin and wreck. On and on it came, snarling, crackling and roaring through the forest of tall blue joint grass that

covered the prairies and grew rank through the draws and valleys, throwing angry sparks and dense volumes of smoke upwards to the very heavens, and passing over and around the little unprotected cabin, nearly suffocated and roasted its inhabitants and left it a charred and blackened ruin smouldering in its own ashes and embers.

Homeless and adrift on the world they left this place and located near Burlington, on the Indian Territory side. This was some better, but at that time there was no place in that barren and desolate region where one could move to escape the sickening sights, the hardships and dangers of a pioneer life on the frontier. There was no law to fear and consequently none to respect, wrong and riot ran rampant; wild Indians and lawless white men held full sway, and the wild, free life of the cowboy, the hunter and the ranger prevailed. The grinning skulls and whitened skeletons often found by these boys while out on their hunting trips, told a tale of murder and robbery that neither book nor paper has ever told, and spoke louder and more than volumes could of the customs and horrors of the country. Another instance which may be cited in this line was the finding one bright Sunday morning by Mrs. Marlow and her youngest son, Ep, who went out to get water for breakfast from a sparkling spring near by, of three newly made graves upon its brink. Three unknown men had been hanged by unknown parties to a tree hard by and buried during the night.

About this time there moved into the neighborhood with her family a beautiful young half-breed Indian maiden, and Charley, being young and susceptible to female charms, fell desperately in love with her. She was a lovely young creature, with just enough of the Indian blood in her to make her picturesque and romantic in her ways, and Charley could hardly be blamed for seeing a world of love and a life time of joy in the depths of her dark, liquid eyes. But such a union would be a mesalliance, and must not be considered for a moment. How to break off his infatuation, then, was the question, and not a very easy problem to solve, either.

She was as graceful as an antelope, as enchanting as a wood nymph and as wild and free as the air she breathed. She could ride and hunt and fish with an ease and success characteristic of her tribe, and could love with an ardor that only the sun-kissed nations can. Her beaded and fringed waho-toya hung in graceful folds about a form divine in perfect mould, concealing yet half-revealing only dreamed of charms it hid. Poor Charley! No wonder his boyish heart fluttered wildly in its human cage.

George, the rascal, was the one who finally hit upon the plan that dashed poor Charley's high hopes of wedded bliss to atoms and prevented a mixture of Marlow and half-breed Indian blood. The new mustache he was growing probably suggested the diabolical plot which he carried into effect, but be that as it may, it certainly worked to a charm. He dressed up in his best, visited the maiden many times and made such hot and persistent love to her that, if the expression may be allowed, soon threw Charley's nose entirely out of joint. Then he gradually cooled his own ardor and in "two moons" the dangers of young love's impetuosity safely tided over.

CHAPTER III.

SCENES AND ADVENTURES IN MEXICO.

IN the spring of '77, rumors of the wonders of South America having reached them, Dr. Marlow and the boys, together with about thirty others, mostly relatives, sold off their stock, bought mules, wagons and other necessities for a long journey, and began a trip overland to the balmy clime and flowery land of the tropics. It was a lovely morning in March when they started on their long journey, the soft south breeze made the tall grasses growing on the prairie nod a farewell to them, and the meadow larks sang a glad carol that the beauties and benefits of the old Lone Star

State might live in their memories, as well as the trials and dangers.

The company generally made it convenient to camp at or near some small town, where such a long train of covered wagons and the fine animals ridden by the boys invariably attracted much attention.

One evening while camped at a small town near Fort Worth, an unusually large crowd of visitors came out to see them and among these was a veritable dude and tenderfoot who was out from the New England States on a visit to the wild and woolly West. He was dressed in the regulation soup-plate hat, toothpick shoes, an eye glass and high pressure collar and cuffs, and his effeminate ways and mode of speech were laughable in the extreme to those free westerners there in camp.

George and Willie had previous to this acquired to a great degree of perfection the art of ventriloquism, and they concluded to have some sport at the dude's expense. Accordingly, as soon as a sufficient crowd had gathered about, all were startled by the sudden and alarming shrieking of an infant, screaming as if in pain. The sound evidently came from somewhere about the clothes of the dude, and all eyes were turned in his direction. Then came the barking and snarling of an angry dog immediately behind him, at which he sprang into the air with an exclamation of alarm, which turned to amazement on finding nothing at his heels but empty air. Then the imaginary baby commenced to yell again from his coat pocket, and one of the little boys from the wagons ran out and offered the dude a nursing bottle filled with milk, at which everybody roared with laughter, and amid the shouts of the crowd his dudeship beat a hasty retreat in the direction of town.

Again, one pleasant evening when all were encamped on the banks of a little stream near Waco, the boys made much sport and fun for the company at the expense of the Irish cook. It was after supper and they were all lying around the camp fires smoking and telling stories of adventure and

frontier life, when a deep and ghostly voice from out among the brush called in thundering tones for Pat to drop those frying pans and come outside. The bewildered Irishman looked up from his work in amazement, and as the voice still called him in loud and commanding tones to come out, he finally gathered up a heavy neck yoke and made a bound for the brush. "Pat, you're an Irish villain," said the voice. "You steal whisky and get drunk. You're a Pope-hating Fenian and a potato-eating Mick from Cork." Pat by this time was crazy mad and was beating around out in the bushes like a wild Comanche Indian, using more brogue profanity than would have stocked up a wake, and flying in all directions to meet his imaginary foe. He was given the grand laugh and let into the secret, finally, but didn't take to the joke very kindly and wouldn't speak to Willie or George for a week.

In three months after starting they reached Corpus Christi, where the second cook, a Mexican, disappeared with a horse, saddle and bridle, and what other loose things he could carry with him. It will not do to trust a Mexican.

Here they found that the troublesome times in Old Mexico would not permit of their pursuing their journey overland, as they had intended, and so the outfits were all sold out for what they would bring and a brig, the *Mary Mabel*, was chartered to take them southward by water. They were two weeks getting started, but finally set sail one Sunday afternoon and headed out to sea.

The placid waters of the Gulf spread out like a sheet of shimmering silver, rippling in the breeze and bathing the feet of the pebbly shore with gentle waves. As far as the eye could reach it spread out in endless rolling billows of liquid green, and finally mingled on the distant horizon with heaven's own canopy of blue. It was an entrancing panorama spread out to view for endless leagues, but soon changed from bright and sparkling calmness to the dark and angry gathering of that most dreadful thing—a storm at sea. Clouds o'erspread the azure sky and snow-capped waves

dashed high upon the rocks. The brig touched at Point Isabel to take on a fresh supply of water, and the captain was urged not to proceed further in the face of the gathering storm. At this juncture, to add to the terror of the situation, young Ellie Marlow, while climbing up the rigging like he had seen the sailors do, lost his balance and fell headlong into the angry waves below. Consternation spread among the little band of passengers, women screamed and strong men grew faint, for in addition to the heavy sea the waters were infested with swarms of man-eating sharks which swam around the vessel awaiting anything that was thrown overboard. A rush was made to lower a boat, but before this could be done Alfred ran across the deck, threw off his coat and hat, jumped upon the rail and before anyone comprehended what his rash intention was, plunged headlong after his brother who was struggling and battling with the foaming waters. A loud shout of encouragement went up as he grasped his brother by the hair, and a score of willing hands were extended with ropes to assist them on board the ship.

Fiercer and fiercer raged the gale, high over the sides of the little ship dashed the maddened waves and tumultuous rove the interminable sea. It was one of the worst storms known to that latitude, and for sixteen days they were tossed ruthlessly about, completely at the mercy of the wind and waves. Food and water also began to get scarce, and had to be issued in small allowances from day to day, in order that the store might be husbanded and actual hunger averted. Toward the close of the sixteenth day the storm abated somewhat, and that evening the approach of the pilot boat was hailed with delight. The pilot succeeded in boarding the brig, while his boat and crew of five men attempted to lead the way across the dangerous bar of the Tux Pan. This proved a hazardous undertaking, for only a few moments had passed until their boat capsized and threw the five struggling sailors among high rolling waves that resembled snow-capped mountains. By the help of parties on shore three were saved, while the others were

drowned and dashed to pieces on the rocks along the coast. After crossing the dangerous bar the brig's crew went ashore and towed her up stream to Tux Pan, a distance of twelve miles, where a guard was placed over the vessel until the custom house officials could examine the baggage of the passengers for goods which might be smuggled from the United States. This search was very thorough, trunks, boxes and bundles were overhauled and minutely examined, and not an article, book, picture or scrap of writing was overlooked. About the only bit of writing among the baggage was some exceedingly ardent love verses in Charley's trunk which he had written about the undying and everlasting affection he had proposed to cherish for his Indian sweetheart back in the Territory, and this was immediately pounced upon by the lynx-eyed officials, who thought perhaps it might be some state document aiming at the overthrow of their government. None of them could read a word of English, so Dr. Marlow was called upon to explain the purport of the innocent little love ditty. He explained and explained, and in three languages—the English, broken Mexican and finally profane, but the more he tried to explain the denser it all grew to the officials, and finally, after about all the English-speaking people on board had tried a hand on explaining, it was confiscated and carried off, and Charley's poor little love letter is probably filed away to day among the secret archives of the Mexican government, and no doubt is regarded as a document of great treasonable or anarchistic importance.

Tux Pan is a typical old Mexico town and a curiosity to Americans. The little dingy streets are but seven feet wide and are paved with little round cobblestones about the size of an egg. The buildings are small and of no particular architecture, being built of wood and adobe and strung along the little streets as though they had dropped from above and stayed in whatever position they landed.

Mexicans of every size, age, sex and condition crowded around our little party of explorers as they passed down the

thoroughfares, talking and jabbering like a lot of magpies and asking if they had any American calico, American domestic, American cigars or American liquors. Dr Marlow accepted for the party the very cordial invitation of the U.S. counsel to spend a few hours at his home, while the Mexicans carted their goods in wheelbarrows to the place they intended to stop, about two miles out of the city. He was pleasantly located, and the weary and storm-tossed travelers greatly enjoyed the quiet and rest afforded by this shady and picturesque retreat.

After spending a very pleasant day at the counsel's mansion, they took possession of a place they had rented from a Mexican and prepared to settle down once more. The country seemed to them like a veritable Garden of Eden, so profuse grew the flowers, so rank the vegetation, so luscious the fruits and so immense the vegetables. Here grew the finest fruits and vegetables they had ever dreamed of. Sweet potatoes grew to the length of two and one-half feet; they gathered cucumbers from vines that measured two feet in diameter; there were beans growing on vines which were seven years old, and cotton stocks towered thirty feet high. Irish potatoes grew eighteen inches thick and three feet in circumference; mango trees six feet and upwards in diameter, while fruits and berries were simply phenomenal in size. There were lemon and orange groves where the decayed fruit lay on the ground to the depth of a foot and one-half, and dates, bananas, grapes, figs, plums, and all other fruits could be had for the gathering. Tomatoes grew large and luscious and wild in the woods without cultivation and many other native fruits and vegetables of which they had never heard. They cooked bananas like Americans do potatoes, frying them in slices. Butter was very scarce, but the fruit of what is known there as the butter tree answered as a very good substitute. It was a queer country, filled with queer people and abounding in queer sights.

The little colony tarried at the place they had rented for a few weeks and then separated into families. Dr. Mar-

low, wife and six sons and a young fellow who had been with them since leaving the Indian Territory, by name of Wm. McDonald, moved about eight miles further up the Tux Pan river, where the Doctor purchased a piece of land, as all agreed that they had gone far enough south. They made the trip to their new home in small boats, rowed by the natives, and gathered shells and stones and various curiosities for relics of the country along the route. Their houses were built of cane, like unto that which is used for fishing poles in the United States, only there the cane was in shape of logs and grew upwards of a foot in thickness, being used almost entirely for building purposes. Tubs, buckets and measures were also constructed from this cane, the logs being sawed off first just below a joint and then as far up above the joint as the depth of the vessel required. The houses were thatched with palmetto leaves, as the air was so very moist that a shingle roof would rot out in a very short time. The Marlow house was a fair sample of all others on the farms and plantations of that country, nearly all of them being built square and low, constructed of the cane logs and thatched with the fibrous leaves of the palmetto plant. In cleaning out the rooms an infant's grave was found in one corner, and upon inquiry it was learned that one of the curious customs of the country was to bury the infant dead in one corner of the dwelling house.

Their yard was surrounded by beautiful and towering trees, numerous among which were coffee trees, which almost constantly showered down upon them a rain of big, plump coffee berries. All around the foliage was dense and tangled and a veritable jungle of flowering plants and lofty trees gave the entire country the appearance of one immense kingdom of fruit and flowers and rank vegetation. At any spot an animal could be staked out with a thirty-foot lariat and though it remained unchanged for seasons, it could not lower the grass which grew in such profusion. The air is so very moist and warm there that when a weed is pulled out of a garden, unless it is burned, it never stops growing, but

takes root wherever it happens to fall. If a cord of wood is cut and piled up, in a few days it will put forth sprouts and leaves, and if left corded any length of time will grow branches and proceed to establish a little forest of its own.

Occasionally some of the richer classes of Mexicans would build their houses of stone or adobe, and these structures in a few years became so thickly covered with moss that it would have been necessary to dig into their sides a foot or more in order to learn of what they were constructed. This moss was beautiful, heavy and of a bright green, and hung about the doors and windows in a long, feathery fringe that was at once odd, handsome and picturesque. As soon as they were settled they gathered a large quantity of pepper, coffee, alspice, tobacco and ginger, all of which had to be scalded to stop its growth.

Wild animals were very plentiful, and where the Marlows lived a person was not safe outside the house after sundown. It was anything but pleasant, to say the least, to reside in a place where one did not dare to venture out to go to town after supper without running the risk of being torn to pieces and devoured by a ferocious wild cat or tiger. It was about as safe in the woods, though, as in the town, for to venture out in the city after dark would surely invite being held up and robbed, and perhaps worse. The woods were filled with a specie of wild chickens, much resembling grouse, or the chickens of the Texas prairies, but it was dangerous to hunt them on account of the vast numbers of wild beasts and enormous snakes to be encountered. The great branches of the banyon trees bend over until they touch the ground, where they take root and grow upward again, and clinging to these branches can always be found monster boas and other terrible snakes, awaiting the coming of any stray animal which might pass beneath. Deer are their easiest prey though horses and cattle are seized upon and devoured with much relish. The natives always carry forked sticks when in the woods, with which they pin a snake to the ground with an ease and dexterity born of long practice. None of our

friends ever cared to try the experiment, not relishing running the risk of playing Jonah to a snake as big a Minnesota saw log.

Naturally enough in a country like this a great deal of sickness is prevalent. Fatal fevers, malaria and diseases peculiar to tropical regions abounded on every hand and carried away victims by the score. About two months after arrival the entire Marlow family, one after another, were stricken with that dreaded Southern plague, yellow fever, and a regular epidemic of it spread over the country. The natives of the little town died at the rate of twenty to thirty a day, and Dr. Marlow was on the go day and night. He had very good luck, as a rule, with his patients, and succeeded in pulling through all the members of the company who had come down with him from the United States.

One day before they themselves were taken down, George and Charley were out around Tux Pan and met four Mexicans carrying a dead native, a victim of the fever, to a hole hastily prepared for his uncoffined body. The natives insisted that the boys help them carry their dead, but knowing that to touch the loathsome thing meant disease and probable death, they promptly refused, whereupon hostilities were declared, the body was unceremoniously dumped on the ground and a shower of rocks flew in the direction of the boys. They happened to be carrying a bag of cocoanuts, and so returned the fusilade with compound interest. The air was filled with stones, cocoanuts and Mexican profanity, but soon the boys were victors of the field, for every time one of their ripe cocoanuts came in contact with a Mexican head it shattered into a hundred fragments, made an ugly bump and nearly drowned the unlucky native in its sticky milk.

During the time they remained at this place Dr. Marlow amassed quite a small fortune from the practice of his profession, the locality being one of the most unhealthful on earth. At one village, just across the river from the Doctor's place, only three persons out of a population of over

three hundred survived the dreadful scourge of yellow fever.

The ravages of this horrible disease was such that the Marlows decided to leave the country and seek a more healthful spot on earth whereupon to make a home. Accordingly, after being there about three months, they employed natives to take them down a lagoon to Tampico. The craft used was a flatboat, eight feet wide and thirty feet in length, and it was so heavily loaded that the top lacked hardly an inch of being down to the water's edge. In this precarious condition, all the more dangerous because of the large numbers of man-eating alligators which infested the lagoon, the whole company made the journey of one hundred and twenty miles to a bit of land nine miles from where they were expecting to go, where they employed other Mexicans with pack-mules to help them across the country. While unloading the boat one of the natives took a great fancy to a couple of earthen crocks which Mrs. Marlow had brought from the United States, and offered to give her a horse for them. The horse being worth about sixty dollars, she did not hesitate long in making the trade.

Their intention was to reach Tampico, purchase teams and wagons, and then make their way back to Texas overland, none of them relishing the job of returning by the water as they had come, owing to the rough weather experienced, the tempestuous sea and dangers of the angry deep. They had never seen a wagon at Tux Pan, or, indeed, any kind of a vehicle except wheelbarrows, as the means of conveyance was entirely by pack-mules but they had no doubt wagons could be obtained at the larger town, although nothing resembling a wagon road appeared in sight at any time than a small pack trail.

The company reached Tampico the eighth day after starting, the Doctor and others whom had bought property near Tux Pan leaving it to whoever wanted to take possession, taking with them very little else than wearing apparel. They visited the American counsel here and endeavored to procure a guide and guard across the country, but found the

Minister had not enough soldiers to guard himself much less furnish any to them, and as they could not make the trip without a strong guard they abandoned the idea, left the two horses they possessed standing in the street and took passage on a Liverpool steamer bound for New Orleans. They enjoyed a pleasant and safe journey, which was continued from New Orleans to Shreveport, and from thence to Willow Springs, Texas.

Two years later, after a pleasant and prosperous residence in various parts of the Lone Star State, they again took up the line of march for Colorado, in search for the shining gold and silver of the mines, the pure mountain air, and the pleasures of travel and the chase. Arriving at Sheridan's Roost, they paused among the soldiers to rest a bit and to give Willie, who was sick, a chance to recuperate. But Willie was a frail little fellow and grew worse instead of better in the high altitude of the mountain country, and shortly afterwards was laid to rest where the bright columbines blossomed and the pine trees on the foothills sung a requiem.

This was in '79, and during the Leadville boom. That great silver camp was attracting the attention of all America, and indeed the whole world, and thousands were flocking thither in quest of fortunes. The Marlows, however, stopped for half a year at the picturesque village of Pueblo, and then proceeded south to Las Vegas, New Mexico, where they took a large tie and grading contract on the Atchison, Topeka & Santa Fe railway. Next they moved to Albuquerque, pausing there only because the Apache Indians were on the war path and prevented them making a journey to El Paso. The government finally succeeded in quieting the Indians, and in the spring of 1880 they again found themselves in their old Texas home. On this journey they traveled eighty miles one day without being able to obtain water, and then paid fifty cents a head for the stock to drink. A good bit of the country traversed was known in those days as the Great American Desert, which, although in late years has been made to

“blossom like the rose” through irrigation and the onward march of civilization, at that time stretched away as far as the eye could reach in one unbroken sea of stunted grass, sand, sage brush and alkali—a most unsightly and forbidding sight. The Indian, the buffalo and the cayote were fit inhabitants, for such a desolate waste of country, and none but the hardy pioneer would have ever possessed the nerve and fortitude to attempt its reclamation from its natural denizens.

CHAPTER IV.

AN INDIAN CHASE—MARRIAGE AND DEATH.

THE next four years was spent near old Fort Sill, in the Indian Territory, where the five brothers worked for the heavy cattle barons of that section on their immense ranches, some of which included whole townships. Little change had taken place in the Territory since they had resided there years before, and the same wild life prevailed.

One day while George was in Fort Sil, drawing some money due him for work, he met with an adventure which came near costing him his life and scalp. He had drawn his money and was about to start on the return trip to the ranch where the family lived, when he was accosted by an Indian, who said: “You steal Indian’s pony.” “Indian lies,” responded George. “I bought my pony and it is mine.” The redskin loudly and vehemently insisted that the pony was his, however, and angrily grasped the bridle with the evident intention of taking the horse away from George. George did not come of a family that feared any mortal man, much less an Indian, and so shoving a revolver under the startled aborigine’s nose, informed him in unmistakably plain language that unless he disappeared in less than half a minute he would be sent on an eternal mission to the happy hunting grounds. At this juncture four other In-

dians came up, accompanied by their interpreter, and the latter spoke up and said: "You seem to be having some trouble, young man, what's up?"

"Yes," replied George, his eyes flashing fire and his finger resting lightly on the trigger of his six-shooter, "this miserable redskin hound claims my pony, but he is not going to get it by a large majority, and if you don't want his hide filled full of holes you better take care of him." The interpreter jabbered awhile with the Indians in their guttural lingo, and then turning to George said:

"They claim that this pony belongs to them and that it was stolen from them. They want you to go with them to the commanding officer about the matter, and you better go, as that is the best way to settle it without a row."

"All right," said George, "I will go with them before the commanding officer, but I warn you that the first copper-colored whelp that lays hands on this horse will be turned into a good Indian the next minute."

So they all went up to the officer's quarters, where the interpreter stated the case. He said that a few days previous someone had stolen a horse from the Indians, and that they had recognized it in the one George was riding, and asked that it be delivered over to them.

The officer listened to their side of the case and then turning to George asked:

"Where are you from, young man?"

"About thirty-five miles from here."

"What have you been doing?"

"Working for Ed. Walsh on the big ranch up the country."

"How long have you had that pony?"

"About six months."

"Ah, and how long have you been working for Walsh?"

"Three months."

"Well, if you let these Indians take your horse it's your own fault. You may go, now."

"Thank you, sir," replied George. "If they get my

horse you may rest assured that I'll keep the flies off them while they are doing it."

He sprang into the saddle, put spurs into the pony's flanks and swinging his hat with a whoop was out of the Fort and off over the prairies like a flash. In a moment he was half a mile away, and turning in the saddle saw the five Indians coming in hot pursuit. Then the race began. It was five to one if it came to a fight and so much depended on the horse's speed. There were but four cartridges in his revolver, and as it would be impossible to kill five Indians with that, the race meant life or death to him. On and on they went, now lengthening, now shortening the distance between them. The Indians urged their ponies to their utmost speed, yelling like deamons all the while, occasionally sending a bullet on ahead at the flying George, and seemingly sure that it was only a question of time until both horse and rider would be theirs.

On and on over the prairies rushed pursuers and pursued, bounding through the tall grass, leaping over any obstruction and galloping with the speed of the wind toward the big cattle ranch thirty-five miles away.

At one time the distance between them was within easy rifle range, and George drew his one lone revolver with its four loads, determined to make as desperate a fight for it as possible, but just at this juncture, and as the foremost Indian was endeavoring to get sight along the barrel of a gleaming Winchester, his pony plunged a foreleg down a hidden coyote hole and turned a complete somersault, throwing the yelling redskin heels over head about ten feet in the air. He lit with a soul-stirring crash that must have loosened every bone in his body, and the delay occasioned in catching the pony and getting started again gave George another half mile in the lead.

When about ten miles out from the Fort, he saw ahead of him a wood wagon with two men on it, and as he got within hailing distance he shouted to them to give him some cartridges for his revolver. One of them held out a cartridge

belt at arm's length, which was about half full of loaded shells, and George leaned over and grasped it as he flew by with a rush and shout. In the next instant both he and the Indians were far ahead of the wagon, and going at the top of their speed on over the country. Fifteen miles of the mad race had been made - twenty - and now like a speck on the horizon George saw a solitary horseman, going in the same direction he was. He spoke encouragingly to his jaded horse, who stretched his neck and responded with increased efforts to lessen the distance between them and the objective point. Soon they drew near the horseman ahead, and George shouted to him and motioned for him to wait. The startled traveler gave one glance over his shoulder, saw George coming at a break-neck pace and closely pursued by the five yelling Indians, and, putting spurs to his own horse, he dashed ahead as fast as his steed would carry him. George saw he could hope for no help from that quarter and as the stranger dashed on and out of sight on his fresh horse George's tired pony began to show signs of giving out, and he again prepared to do battle alone and single handed with the five redskins so close in his wake. They noticed his slackening of speed, and with yells and whoops like demented deamons they urged up their own fagged ponies, and brandishing their murderous weapons came on like the whirlwind.

Fifteen miles yet stretched out between them and the ranch. Would the little horse hold out that far? George knew that once he reached the ranch, with the assistance of his brothers, the Indians would soon be repulsed, and again he urged on his pony with voice and spur.

Whiz! a bullet cut its way through the brim of his hat and dashed it from his head, and then as he turned in the saddle to return the compliment he came suddenly upon the man he had seen some time before, down in a little valley, and with gun drawn upon him, ready to shoot down the first object that came within range.

With shouts and gestulations of peace, George succeeded

in inducing him to lower his gun, and then dashed in beside him. After a hurried consultation of hardly half a minute they concluded to keep on riding as long as George's horse would hold out and then give them battle. Accordingly they sped on over the prairies, and George's pony, now that he had company, seemed to take new life and strength. In a few minutes they gained in the race, and continued from then on to widen the distance between them and their dusky foes.

The ranch was finally reached, the Marlow brothers heard the shouts and rode out to meet them, and the Indians seeing this gave up the chase and turned back. George and the stranger went up to the house to rest from their mad race, while the rest of the boys gave chase to the Indians, who, finding the tables turned upon them, did their best to get out of the way.

George made the flight from the Fort to the ranch, a distance of thirty-five miles, in one hour and three quarters, and still owns and keeps with him the noble little animal which carried him away from the Indians and safely home.

The rest of the boys returned late that evening from their chase after the reds, tired and dusty. They were very reticent in regard to what had transpired, and had but little comment to make about the matter at all, though it was noticed that they brought back quite a supply of Winchesters and revolvers which they didn't have when they started out. The five Indians must have ridden a long distance, for they were never seen again. Perhaps they are still going.

Everything went on quietly at the ranch after this for a year, George in the meantime putting in most of the time courting a pretty girl who had stolen his heart away. She was a Miss Lillian Berry, who was born in the north part of Kansas, near the Nebraska line, and raised like the Marlow boys, in several different States. She was a young lady of fair accomplishments and prepossessing appearance, and on the 17th day of June, 1883, George and she were made man and wife, in the Indian Territory, on the Washita.

The following spring the entire family made their way to Trinidad, Colorado, where they sold their large herd of cattle and for the time being quit the stock business.

Dr. and Mrs. Marlow and Charles took the overland trip for California, to visit the Doctor's eldest son, whom they had not seen for years, to benefit Mrs. Marlow's health, and to see the country.

It had now been thirty-five years since the Doctor had mined a fortune in gold from the California placer diggings, and many were the changes which he noted. Now, it was a land of plenty and the onward march of civilization could be plainly marked on every hand. Then, himself and party had killed and eaten their mules to keep from starving; now, fine hotels at reasonable rates were plentiful in San Francisco. Then, he had paid five hundred dollars for the privilege of making a bed for one night on a dining room table for his sick brother. The old mining and pioneer days of the Golden Gate country had faded away forever, and in their place the church, the college and the mart of commercial traffic had stepped. This was not to the taste and long habits of the Marlows, and so after a pleasant visit of a few weeks, they returned to Colorado, joined the rest of the family at Trinidad and all journeyed back to their old Texas home, via the Indian Territory. Here the grim angel of death came and marked for its own the loved husband and father, and on the 12th day of April, 1885, the good Dr. Marlow passed over the dark river to the other side. It was a sad and darkened household then, for the sunshine of a good man had gone out forever, and with bowed heads and bended knees they laid him to rest beneath the grass-covered prairies of the Lone Star State he had loved so long and well. The soft south wind to-day moans through the long grass a requiem, and the wild flowers nod their jeweled heads above the spot which marks his eternal resting place on earth.

CHAPTER V.

BOONE KILLS A MAN TERRIBLE BATTLE WITH WOLVES.

AFTER the death of the Doctor, Mrs. Marlow, her four sons and George's wife moved to a place on the Fort Worth & Denver railroad, where the boys took a grading contract. At this place Alfred made the acquaintance of the woman whom he afterward married--a Miss Venie Davis, who was a handsome Western lass, brave and true-hearted, and who proved entirely worthy as a wife and life companion.

After completing their contract with the railway the boys took a very desirable claim near by, close to the Navajo mountains, and while Mrs. Marlow, George's wife and Boone remained to care for their stock, and Alfred and his bride were off on a little wedding tour and visiting some of her relatives, George, Charley, Ella and a hired man proceeded to the new claim to erect dwelling houses thereon.

It was at this time that a tragedy occurred which cast a gloom over the lives and happiness of all our little band of Westerners, broke up their plans and home and made one of them a fugitive.

One evening when Boone was returning with the cows, he stopped to see his sister Elizabeth, who, with her husband, lived a short distance from his mother's, and as his horse neared the house and came to a standstill, a man named James Holstein came out of the house and at sight of Boone drew a revolver and commenced shooting at him without a word. Boone did not know the man or understand the attack, but as the bullets from the six-shooter began to whistle uncomfortably near to his ears, he hastily dismounted.

drew his Winchester from his saddle, and resting it over the horse's back, took hurried aim and fired. True to his aim the bullet sped straight to its mark and the man without a cry or a groan threw up his hands and dropped dead in his tracks, shot through the heart. Elizabeth and her husband rushed out of the house at the sound of the firing, only to see Boone standing on the defense with a smoking rifle in his hands, and the man Holstein lying dead on the ground, weltering in his blood.

"Oh, Boone, what have you done?" exclaimed Elizabeth, as she ran to her brother's side, while her husband knelt by the side of the stricken man to examine his wound.

"In God's name, sister," replied Boone, "who is that man, and why did he seek my life?"

"I do not know. He is a stranger who stopped to enquire the way, and he was half drunk, too. He must have mistaken you for someone else."

"Well," responded Boone, "it was a sad mistake for him, and one which has cost him his life. God knows I'm sorry for it, but it was done in self defense, and it was only a question of his life or mine. What is best to be done?"

"You had better seek safety," said Boone's brother-in-law, "for, though you were perfectly justified in the act, there is no telling in this country what trouble and difficulty may result from it."

This, under the conditions and circumstances, was good advice, and Boone hastily prepared to follow it. "You poor devil," he remarked, turning the dead man over on his back, "I'd give a thousand dollars if this hadn't happened, but it is your fault, not mine." Then mounting a fresh horse, and examining well his arms, he sped over the prairies to his mother's home. Hastily informing them of what had transpired, thrusting some money they handed him into his pockets and buckling on an extra brace of revolvers, he kissed his mother and putting spurs to his horse was gone.

Some blamed him, poor boy, for haste and lack of judgment, but no trouble grew out of the affair. Perhaps he was

hasty, but when one is being shot at point blank at ten paces, time is short in which to stop and reason and form plans, and rather than be shot to pieces by a drunken wretch it is not unlikely that the average man would have acted as Boone did under the circumstances.

This trouble of Boone's so upset the others of the family that in a short time after they threw up their claims and started for Colorado. None of them had ever committed a violent act before, and though they fully exonerated Boone they were grieved and cast down over the unhappy and deplorable event.

Trinidad was again their objective point, and they sold off all the stock except about thirty head of horses, and prepared to make the journey overland. Among the horses kept was the pony which had carried George safely away from the five Indians, and another which was equally a pet. This latter, Shoat, was a prime favorite with them all, and a most remarkable little animal. A noble horse or dog is man's truest friend; we all love them, and to the pioneer in new countries these trusty allies are almost as brothers. Shoat was so called because he was a stocky little fellow and never weighed over 650 pounds at best. He was as knowing and intelligent as many men, and acted more like a human being than an animal. He was an inseparable companion for the boys, and followed them around everywhere, whether in the country or in town. At a word from them he would enter any store, or building, climb up stairs, lie flat on his side to be dragged under a wire fence, and in fact do anything he was told to do. When informed that he was sick he would lie down and roll and groan, and roll his eyes as though in great agony, and positively refuse to get well again until copious doses of medicine in the shape of cake or sugar was applied internally. He always followed them on their hunts and expeditions over the country, and if a deer was roped onto his back he would carry it home as fast as he could go, and after being unloaded would strike out to find the boys again. In case they had broke camp and moved

farther on in the hunt, Shoat never experienced any difficulty in nosing around in the grass and striking their trail, which he followed with the unerring surety of a hound until he found them. Big prices had often been offered for him and as often refused.

At Trinidad the entire family were again united, as Boone turned up at that place, and together they set out, after purchasing oxen, new wagons and other overland necessities, for No-Man's-Land, a neutral strip of the public domain lying between Colorado and the Pan Handle of Texas. Here the five brothers took up some claims, which they worked to good advantage in connection with hunting and trapping. The wild game abounded here in great profusion and consisted of buffalo, elk, deer, antelope and wolves, the latter being very large and ferocious.

The boys were generally accompanied on their hunting excursions by a dare-devil sort of a fellow, by name of Thomas Bull, and it was on one of these occasions that an adventure happened them which came very near terminating not only the life of Thomas, but of themselves, and thus abruptly ending this story. The party had struck camp near a rocky gulch, whose massive and frowning walls towered far above them, and along whose base flowed a clear brook of sparkling water. It was a lonely but picturesque spot, and one well calculated to delight the lover of the chase. While the rest of the men attended to the horses and built a big fire of sage brush and branches of dead trees, young Bull announced his intention of looking around a bit to see if he could not shoot a deer for supper.

"You had better wait until someone is at liberty to go with you," said Charley, "for I have heard that there is a den of the fiercest wolves imaginable around this neighborhood—regular man-eaters."

"Oh, I'm not afraid of wolves," said Tom, as he cocked his trusty rifle and took aim at an imaginary foe, "and besides, I won't go very far, so if you hear me blaze away, you may come out and help me to skin the deer, or wolf, or



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whatever it happens to be. Maybe I'll slaughter an elephant or two for supper."

He had not been gone many minutes before the boys heard the familiar ring of his Winchester on the still evening air.

"I guess Tom has got his elephant," remarked Alfred, continuing to fold up some blankets and arrange his couch for the night. Then the first report was followed by another and another in quick succession, and a shout was also heard, mingled with the angry howls of wolves.

"I'll bet Tom is treed by a pack of wolves," said Alfred, dropping his blankets and reaching for a gun, "come on, boys, let's see about him," and they all followed him and dashed down the gulch on a run toward the sound of the firing and the yells.

As they turned a bend at the foot of the gulch a most horrible sight confronted them. A pack of over half a hundred maddened wolves were snapping and snarling, leaping and howling all around Tom, who stood in the center of them with gun clubbed, dealing blows right and left and making as desperate a fight as he could.

"Give it to 'em, boys," sang out Charley, "don't miss a shot!"

Bang! Bang! Crack! Crack! rang out the rifles, and five of the ferocious beasts rolled over in death agony, only to be set upon by the rest and torn into shreds and devoured. Another and another volley was poured into them, and then with revolvers and clubbed guns a charge into their midst was made. They were great hungry, gaunt, wild-eyed beasts, crazed by the smell of blood and taste of flesh, and with fierce yelps and howls they sprang at their antagonists with foaming and wide open jaws. It was a fierce and hard-fought battle while it lasted, and the crack of the revolvers the yells of the wolves and the shouts of the men turned that spot of earth into a hell. Tom, weak and bleeding relinquished his broken and useless gun and in a last desperate effort grasped a giant wolf by the throat as it sprang

upon him, and together they rolled over and over among the snapping horde around them.

Hatless, with broken rifles and clothes torn to shreds, it was a sorry little group that stood there when at last the wolves were beaten off. With scratched and bleeding limbs they stood among the torn and mangled carcasses of thirty or more of the blood-thirsty pack, and looked around for Tom. He was found bleeding and unconscious, with the grip of death upon the throat of a monster wolf, whose red tongue hung out upon his breast and eyes starting from their sockets, showed that Tom certainly meant to have company if he was killed. They carried him back to camp, and after dressing his ugly wounds and forcing brandy down him he came to and was soon able to sit up on the couch of blankets and furs and tell his story.

"Well, you see," he said, looking mighty pale and weak from loss of blood and the hard fight he had made. "I walked along in hopes of seeing a deer, and never thought any more about what you had said about there being a den of wolves around here somewhere, when all of a sudden a great gaunt-looking fellow boldly rose up from the ground almost at my feet and emphatically refused to let me pass. It was then I remembered what had been said about the den of them, but I reasoned that my Winchester was well loaded and that probably there wasn't more than half a dozen any how, and I ought to be eaten up if I couldn't kill that many. I stood and pondered whether to shoot and run the risk of bringing out several more of the brutes, the one in front of me snapped and snarled so ugly that it made me mad and I up and let him have it. All the time he never took his glaring, yellow eyes off of me, and I took good aim and fired. The smoke hadn't cleared away yet till it looked to me like mor'n a hundred of the snarling devils were around me. They fell upon the wolf I had shot and tore him into fragments. I knew this couldn't last long, and that I would have their undivided attention next, so I went to shooting as fast as I could, and when my loads gave out I clubbed the

gun and prepared to kill as many of them as possible before they got me down. Then you fellows came up, and you know the rest."

CHAPTER VI.

A DARK AND DIABOLICAL PLOT.

WHILE still out on the hunt mentioned in the preceding chapter, and three or four days after the terrible experience with the wolves, the memorable blizzard that swept that section of the country with its withering blasts in '87 came upon them and caught them far from home and entirely shelterless. Many settlers and hundreds of head of stock froze to death in that terrible storm, and every living creature suffered from the chilling blasts of its icy breath. Our little hunting party tied all the blankets they had in camp over the shivering forms of their horses and then turned them loose, while for themselves they dug a deep pit and stretched a wagon cover over it. During the night they worked incessantly to keep up a roaring fire in one end of their hole in the ground, and this they were enabled to do because of having over two hundred pounds of buffalo tallow to feed to its flames. It was a dark and terrible night, and one which will remain in the history of its survivors as long as they live. When those mighty blizzards of snow and sleet are blown over the great tracts of level and unprotected prairie lands by howling hurricanes that freeze and blight everything in its path, it is an occasion of horror, suffering and death.

Shortly after this Charley also took unto himself a wife, a most estimable young lady whom all were glad to welcome into the family circle, and in the following summer the Marlow brothers sold off their claims in No-Man's-Land and started back to the Indian Territory. Charles and Alfred

obtained permission of Agent White, of the Kiowa reservation, to move onto a place held by Sunday Boy, a Kiowa chief, and prepared to settle down to farming and cattle raising. They had been acquainted with the old chief for about ten years and were on the best of terms with him, and he was very much pleased when he found they intended locating on a part of his domain.

It was a custom among this tribe of Indians to hold a big pow-wow before allowing a white man to settle upon the lands of their reservation, and if he was not agreeable to them in every particular, they made life miserable for him until he left the country. So when Charles and Alfred and their wives arrived they found about two hundred Indians congregated and making preparations for a big medicine dance. The ceremony was a most nonsensical affair and lasted two days and nights. The medicine men of the tribe rigged themselves up in fantastic garb, danced around the fires and yelled and shrieked like demented demons, while the others painted their ugly faces and followed suit by dancing, whooping and making fools of themselves on general principles. Sunday Boy's interpreter, a young Indian who had been to school and learned a few things pertaining to civilization, reported every few hours to the boys what progress was being made towards coming to a decision, and finally announced that the tribe gave its gracious permission for them to settle upon the reservation lands. The boys were then invited to a grand feast, but as Indian fare was not relished very highly by them, they declined with thanks. The houses on the reservation were built for the Indians by the government, and were furnished with cooking stoves, but none were used, the red-skins preferring to live in their tepes and cook out of doors by their camp fires.

The Marlows had many friends among the various tribes of the Nation, especially among the Comanches, and were looked up to and respected as white men who would not harm the Indian, but who would do good to him and teach him the ways and wonders of the Great White Father's people.

The Comanche tribe loved the boys because of a kindness they had at one time shown their chief, and an Indian never forgets a kindness any more than he does an injury. One morning while after their horses Charley and one of the other boys ran across an old Indian who was wandering around in the timber and evidently lost. He had been wandering around for two days and nights, trying to find the camp of his people, but being very old had got completely turned around. The old chap would not own up to being lost, however, but struck his breast proudly and stoutly affirmed that it was the wigwams of his tribe that were lost, not he. The boys had noticed a party of Indians camped a few hours' ride up the country, and rightly guessed they were the old chief's band, so they made known to him that they would conduct him to where his lost wigwams were, and after taking him to the house, where the women prepared for him a hearty meal, they saddled him a horse and set out in the direction of where they had seen the Indians camped a few days previous. After a ride of a couple hours they came in sight of the camp, and although the chief uttered no further demonstration of joy than a guttural grunt, his face lit up with pleasure at the sight of his tribe, and the boys felt amply repaid for their time and trouble. When the Indians saw their chief coming in charge of white men they mistook the situation and supposed he was a captive, and rushed out with wild whoops and drawn weapons to rescue him. This was soon changed to shouts of joy and grunts of approval when they learned from the old chief the true state of affairs and ever after there was nothing too good for the Marlows that lie in their power to give or do.

* * * * *

Leaving the Marlow family attending to their stock and at work on the ranches in the Indian Territory, we will now change the scene, and ask the reader to follow us while we go back a few weeks and enter a certain United States Marshal's office, in the little town of Graham, Young county.

Texas, where a deputy stands reading a letter. Let us look over his shoulder and read also:

SHERIFF'S OFFICE,
TRINIDAD, COLO.

DEPUTY ED. JOHNSON,
Graham, Texas:

Look out for the five Marlow Brothers, who are endeavoring to get away with forty head of horses, stolen from this place.
DOC BURNS, Sheriff.

The man who reads has but one hand, otherwise is a large, powerful man, with a keen but wicked eye, a square, dog-like jaw, and the general appearance of an unscrupulous and designing scoundrel. He lost his hand by being shot while engaged in a drunken debauch in a house of ill repute in Wichita Falls, a year prior to his introduction at this time, and the reader will learn later on how he lost the other, for at the time of writing this history he has neither hand, and cannot even feed or dress himself.

As he reads the letter a plot as dark and damnable as ever disgraced the annals of crime forms itself in this man's brain—a plot which will make him the revolting spectacle which he is to-day, and one which is to create untold trouble, misfortune and misery to innocent men and women, besides causing the ruin and downfall of all connected with it. This plot was against the lives of the Marlow brothers.

CHAPTER VII.

THE PLOT DEEPENS—THE MARLOWS IN CHAINS.

HAD E. W. Johnson known how terrible and disastrous would be the result of the dark scheme he planned that bright August day in 1888, he would have paused ere making so fatal a move, but alas! he could see nothing but popularity and gain as an outcome, "for," he soliloquized,

"if I go up to the Indian country and arrest these five brothers I will make myself popular with the cattle men, and the \$50 apiece for their arrest and ten cents milage on each bringing them down will net quite a neat little sum besides. But the warrants! What am I to do about the necessary papers? Bah! What does it matter? If I have to show a warrant I will manufacture one for the occasion. Yes, I will do it, and my friend Sam Criswell is just the man to assist me in the undertaking. It will be hard on the Marlows, but will be the making of me."

He puts the letter in his pocket, not thinking that he has been thinking aloud, and that the very walls have ears sometimes, and saunters out into the city in search of his trusted ally, Sam Criswell.

What Johnson meant by making himself popular with the cattle men may here be explained by stating that in Northern Texas the rich cattle barrons practically ruled the country, and the officers who "stood in" with them soon become wealthy and influential. They had formed an association for mutual aid in preventing thieves from raiding the ranches and running off the cattle, and Johnson had been employed by this association in this capacity. The country was infested with bands of thieves and marauders whose desperate and lawless acts were practically unchecked as yet, as Johnson had made but little headway against these "Rustlers," as they were termed. So he determined to arrest somebody on charge of horse-stealing, fearing the stock men would lose confidence in his ability unless he arrested someone once in awhile, and knowing full well that in that frontier region it was easier to convict an innocent man of horse-stealing than a guilty man of murder. He learned that the Marlow boys owned a large number of horses, and thought that because of their nomadic life it would be an easy matter to swear them into the penitentiary.

The Marlow brothers were but boys then, some of them not yet grown, and with the exception of Boone's trouble, already mentioned, had never by word or deed been guilty of

the slightest violation of the laws. And why should they? In the Texas Pan-handle all the good horses that one could wish ran wild, and could be had by lassoing them. Deer were as plentiful as the trees; there were turkeys without number and game of every description swarmed the country in flocks and droves. The hides and furs from the different wild animals brought them a goodly store of money, which, having no particular use for it, they laid by for future days. If they saw a horse that pleased their fancy they had ample means to buy it at any time. They had no incentive to be dishonest, in the first place, and in the second place, it was against their teachings and their frank Western nature.

In a few days after the receipt of the letter read in the preceding chapter Johnson, Criswell and a posse of deputies started out on their unrighteous mission. On this trip Johnson received a second letter, written in the Sheriff's bold scrawl, bearing the 'Trinidad post mark, which was forwarded to him from Graham, Texas, and read as follows:

DEPUTY E. W. JOHNSON,

Graham, Texas.

I find that I was mistaken in regard to the forty head of horses. The parties owning them have since found them. They had only estrayed. I remain,

Yours truly,

DOC. BURNS, Sheriff.

After perusing the contents of this letter carefully, he roughly thrust it into his pocket, thinking little or nothing more about it, where it remained for months, only to be brought up against him as a witness of truth.

How much better it would have been for all had this unscrupulous deputy explained the situation clearly to his posse, and with them returned to Graham. But no! he had his plans laid, had men to assist him to put them into execution, his desire to "put a new feather in his cap" by arresting somebody grew stronger and stronger, and the idea of returning without accomplishing his purpose did not enter his mind.

Johnson had never seen the Marlow brothers, knew nothing about them, and in fact did not pretend to know anything himself, and after becoming acquainted with them had the grace to admit that "he liked the boys very well." Still, for a bit of popularity and a few dollars he would swear them into prison, and was the means of the two younger of the five brothers losing their lives, besides five other known deaths, making seven in all from the same cause.

Johnson and posse reached the place where Boone, Ellie and Mrs. Marlow were living one Saturday in August. At the time of their arrival Boone and a young fellow by name of Metz were gathering corn in a field near by, while Ellie had gone over to a neighbor's.

There was, consequently, no one at the house except the old lady. The day was very warm and she cordially invited them into the house out of the sun. They asked for water, which she drew from the well near with her own hands, never dreaming that she was supplying the wants of men that would in a very short time take her sons away to their death.

Her love for her boys was as their love for her, and each other—fierce and consuming. Not one of them would have hesitated to fight a regiment in defense of the other. Of a Spartan nature, she rejoined in the stern and lofty denunciation of the Jewish prophets. Her religion taught her to demand an eye for an eye, and a tooth for a tooth. All she asked of the world was for it to let her and hers alone, but if wrong were done them, forgiveness was strange to her nature.

Johnson pretended that he wanted to hire the boys to drive some cattle for him, and asked where he could find them, and if they would be in soon. The reader will see by this, that in spite of their roaming, Gysie-like life, they did a great deal of work at times. They worked for the sake of working only, and not for the cash they received, for money they as little regarded as a man would water in a country where it was plentiful. The unsuspecting woman told where each and every one of the boys were and when she

expected Boone and Ellie to return, never once thinking that they would be arrested; and why should she, for none of the boys, with the exception of the killing of Holstein by Boone, in self defense, had ever broken the laws of the country in the smallest degree.

After about an hour Johnson and posse took their departure, saying that perhaps they would meet Ellie on the way, return with him and talk over whatever bargain he and they might make with Boone, who they hoped would be back when they returned. On finding Ellie they ordered him to throw up his hands. This order was repeated the third time before he made a move to obey, so astonished was he.

After taking Ellie prisoner, they proceeded to the cornfield, where Boone was at work. As they passed the house on their way to the field, the ever watchful mother perceived by Ellie's indignant look that something was wrong, and as the cavalcade neared the house she ran out and demanded an explanation. They paid no attention whatever to the poor old lady, but kept on in the direction of the field, the mother following on foot as fast as her aged steps would carry her.

After arresting Boone, and the young man with him, Johnson left the party with directions to unload the corn as he wanted the wagon to convey the prisoners back to Anadarko, while he rode back to meet the mother, who was slowly plodding along toward them, and when in speaking distance he informed her very decidedly that she wouldn't be allowed to go any nearer the wagon.

"Sir," she said, "I have started to my sons, and I shall go in spite of anything you or anyone else can say or do."

"I tell you, Mrs. Marlow, that you shall not go to your thieving sons. Of course, though, you know what they have done without my enumerating their crimes. I am having your wagon unloaded to carry them to the agency, and you can't see them before they go, either. Do you understand?"

"Stand out of my path, sir, I am going at any risk."

"I tell you that you are not, and I don't care to be seen

standing talking to you. You had better be moving along toward your shanty."

"I tell you, sir, that I started to see my boys, and see them I will, or die in the attempt." With that she darted past with more agility than one would think she possessed and gained the wagon before he could prevent her.

A few seconds later Johnson came up and ordered the prisoners (they had been handcuffed before) into the wagon. The mother in spite of all their orders and curses followed. The prisoners were chained down to the wagon, making it impossible for any of them to drive. The roads being very sloppy and muddy they endeavored to ride as close to her as possible, by which means they were able to splatter mud and water over her. The party seemed in a great hurry, but their hurry effected the old mother very little, and in spite of all their curses, blows and threats she took her own time.

When within a quarter of a mile of Anadarko the prisoners were removed from the wagon, Johnson for some cause or other preferring to walk them into town. Here the boys persuaded their mother to go to a friend's house, a short distance from where the halt was made, take the team and place them in safe keeping till they were needed again, stay at the place over night herself and come to see them the next morning. Johnson had found by this time that he made but very little headway in managing her by harsh treatment, so decided to change his tactics and accordingly told her that she could see the boys as early the next morning as she desired; so bidding them an affectionate farewell until the next morning, Johnson moved away with them, leaving the aged woman standing alone in the fast gathering darkness. When she could no longer see them she climbed into the wagon and drove to the friends'. After a sleepless and miserable night, she, just as the sun was rising, made her way to the place where Johnson had told her the prisoners were to be incarcerated for the night. After a long and tiresome hour or more, she was let in by Johnson himself, who very politely asked her to return to her home, get the boys a

change of clothes, and return in the afternoon as early as she liked, and that then she could see the boys and have a long talk with them besides. The disappointed old lady turned away with a throbbing heart to retrace her steps over the hot and dusty road that seemed to grow hotter each step, she having taken no nourishment since the noon before.

By 1 o'clock she was once more at the jail, only to be informed by the person in charge that Johnson, with posse and prisoners, had been on their way to Fort Sill for about four hours.

In speaking of it afterwards Mrs. Marlow says: "Disappointment or grief very rarely kills. When I was told that this man Johnson, who had showed so plainly to me of what kind of material his being was constructed, had taken my dear children away, I felt as though I was choking to death. My heart stood perfectly still for a few moments, then beat so rapidly and fast I thought it would burst out of my bosom. But I did not die then or afterwards, either, when Charley and George came home to me in the early morning of a cold, gray Sunday, with such ghastly, blood stained faces and hands that I could hardly believe that they really lived, and I was told that two more of my darling boys lay dead on the hard ground in a dark and lonely place where their poor bodies had been riddled with bullets without mercy, and yet at another time while I watched by the side of a third dear son that had been robbed of life by a man whom he had befriended as a dear brother in many instances, and still I never died of grief, yet I would have gladly laid down this troublesome life if my other two could have gone, too. No, trouble rarely kills. It is a means of torture that makes one long to die, but that is all."

Johnson and posse with prisoners reached Fort Sill late in the afternoon. Here they remained until the following morning, when they went twelve miles from town to Sunday Boy's place where Charley and Alfred were arrested. This was on the 29th of August, 1888. Both places were searched for fire-arms. In all was found one shotgun, belonging to

Boone, that had laid wrapped in a bed sheet so long that it was rusty, proving that it was used but seldom. From Ellie they took a six shooter and winchester, the same from Alfred and Charley, making seven pieces in all.

At Sunday Boy's place young Metz was turned loose. They had only kept him to keep him from informing the other two boys of the arrest of Boone and Ellie. Charley's and Alfred's wives were placed under guard and sent to Anadarko, where they joined the poor old mother, while Johnson and posse with the four brothers started to Graham, a distance of seventy-five miles, in a lumber wagon.

The Marlow brothers were accused of stealing 130 head of horses from an Indian by name of Bar-Sin-da-Bar. When examined this old Indian testified that he did not own that many horses and had lost none at all, and that "Marlow men no steal Indian man's horses anyway, because he have better horse he get somewhere else, but Indian man think white mans steal (meaning Johnson and posse) if Indian man don't sleep with one eye open." During this trouble the boys' Indian friends came to the front like true friends indeed. Old Sunday Boy wanted to pledge all of his stock, lands, and squaws for Charley's and Alfred's freedom, and many others offered as much according to their positions. These offers were all refused on the plea of its being unlawful to take an Indian on a white man's bond.

While the women were being held at Anadarko, from what cause they never knew, George, who was ignorant of the trouble his brothers had been so suddenly thrown into, came into Anadarko on some business connected with the ranche where he was putting up hay. As soon as Agent White, before mentioned, knew of his arrival he placed him under arrest saying that he had been ordered to do so by Johnson.

Again his Indian friends proved how sincere their regard was for him; every nic-nac or sweet that they thought he would eat was brought to him. On the seventh day of his imprisonment the women of the Marlow family were placed under a guard and conducted across country to Red River.

About four days later George was released. The women had left Shoat for him to overtake them on, and here George practiced a little deception on his Indian friends, quite a crowd of whom gathered around to see him off.

"Friends," he said, as heslily whispered in the wise little horse's ear, "if this horse lays down I will see my squaw before 10 o'clock to-night." Shoat understood the whispered communication, instantly stretched himself out, to the amaze and delight of the superstitious Indians. After a few more little mysterious passes, to make them more firmly believe in his ability as a great prophet, he struck out in the direction the women folks had gone four days before. The Indians had given him a lunch of cheese and crackers, and at noon he halted long enough for Shoat to eat this, eating nothing himself. About 6 o'clock Shoat began to sniff the air, and seemed to take on new life. George gave him the reins, and at 9 o'clock sharp he ferreted them out, camped off the road a little distance. Between 8:30 in the morning and 9 o'clock that night this little fellow had carried George ninety-five miles. The friendly Indians had not left them, and seemed as happy as the poor lonely women when George and Shoat came in. They thought they could out-ride a white man when it came to riding fast or long distances, but this trip fairly astonished them, and when a few days later they returned and told how he had overtaken them on the same day that he had left Anadarko, they were more ready than ever to believe that he was a great prophet.

George's next work was to reach Graham, where the United States Judge of the northern district of Texas held court for the convenience of the Panhandle and other countries on the northwestern frontier of Texas. George wanted to take all their stock, if possible, for as soon as he reached Graham he intended to have the other boys cleared of this trouble and thought the stock might be useful to turn into ready money. The brothers had been able to prove where each head had been bought and at what time, so had no fears of being detained for any great length of time.

CHAPTER VIII.

THE BEGINNING OF THE END—BOONE'S WINCHESTER GATHERS ANOTHER VICTIM.

UPON arriving at Graham, George's first efforts were endeavors to provide bail for his imprisoned brothers, but in this he was temporarily balked, and instead was himself thrown into jail with them, by Johnson and Criswell who, having started in, were as relentless as death in their persecution. In the few days prior to his arrest George had secured the services of an attorney, one Robert Arnold, who subsequently turned out to be a bosom friend of Johnson's. He took the case for \$500, which George paid without a word, and would have paid three times the amount had it been asked, as he was as ignorant in those days of courts, law and lawyers as an unborn babe. That the Marlows were inexperienced in such things is plainly shown by the fact that they allowed Johnson to arrest and imprison them without a warrant or any other show or proof of legal authority; and again in submitting to the outrage perpetrated by Indian Agent White, when he held George under arrest and forced the innocent and helpless women to leave the country, all without the shadow of authority, right or justice.

About six weeks after George was arrested the Spartan mother succeeded in securing the release of Ellie under heavy bond, who in turn obtained freedom likewise for Charley, and together they raised bail for Boone, giving stock as security to those who became their bondsmen.

After the brothers were all released, George and his wife with Boone and Ellie, rented a farm near by and went on

with their usual work, while Charles and Alfred with their wives and mother secured another place fifteen miles out of Graham and some seven miles from the rest of the family.

Meantime Johnson and Criswell were not idle. If ever the mind of man was employed with the damnable work of the devil, here was an instance. The good will of the cattle barons must be held at any cost, and for this they would sacrifice the safety, reputation and even lives of a dozen families if necessary. Their next step in the tragedy was to secure the indictment, through perjury, of the Marlow brothers, for the theft of one hundred and thirty head of horses, alleged to have been stolen from the old Indian Barsindabar. The evidence, however, being entirely made up of whole cloth, was so weak and unreliable that the State asked for and was granted a continuance of the case.

Johnson and Criswell then began systematically to create an unfavorable public opinion against the boys, by appearing before the court and making oath that they were fugitives from justice. They then industriously disseminated the opinion that the Marlows were cut-throats, horse thieves and "rustlers," and so diligently did they work on this infamous scheme that they succeeded in a measure in creating the impression that the boys were, to use the parlance of the day, "bad men," a frontier term which stamps its bearer as a wanton murderer, and makes everyone hate and fear him and wish for his death.

This unfavorable impression which these two despicable villains lodged in the minds of many people of Young and adjoining counties was largely the cause of the state of terrorism which afterward prevailed, and which subsequently brought about the horrible battle of Dry Creek, of which we will speak in detail further on.

Not yet satisfied with their work, Johnson and Criswell next went on to Willbarger, where they had heard of Boone's killing Holstein in self defense some years before, and had a warrant issued on this charge for his arrest, and the same was sent to Sheriff Marion Wallace, at Graham, to serve.

On the 17th of December, 1888, Boone and Ellie visited their mother, and as the family were at dinner, Sheriff Wallace and a deputy, Thomas Collier, rode up to the ranch for the purpose of arresting Boone. Both men had been drinking freely before they left town, and were considerably the worse for liquor when they arrived at the Marlow farm. They rode up to the chimney end of the cabin, where there was neither door nor window, and Wallace alighted, tied his horse and walked around the house. Collier rode directly up to a window and peered in, and Boone being first to see him, called out:

"Hello, Tom! Light and come in and have some dinner!"

"I'm not hungry," replied the deputy.

"Come in anyway," urged Boone.

Without replying Collier alighted and walked to the door as though he meant to accept a seat at the table. He stepped in, and as Boone arose to welcome him he exclaimed:

"Boone Marlow, I'm after you!" As he spoke he aimed his revolver at Boone, and fired right in among the women and children.

Boone dodged the shot and grabbed a Winchester that lay on a bed. Collier seeing Boone possess himself of the gun, and at the same time seeing that his own shot had missed its mark, jumped back and out of the door. Boone hastily fired a random shot, the ball penetrating the wall beside the door, grazing Collier's left temple and eye, and carried away about four inches of his hat brim. Boone threw another cartridge into the gun, sprang to the door, gun in hand, and seeing a man near the corner of the porch, with a cocked and drawn revolver in his hand, fired again, hitting Wallace, who was hastening toward the door. This was the first intimation the boys had that Collier was not alone. Boone seeing a man on the porch naturally supposed it to be Collier, so fired at Wallace with the belief that it was Collier. Wallace fell headlong upon the porch, his pistol remaining cocked by his side.

On looking for Collier, with the determination of putting an end to his cowardly career at once, Boone saw him running away at full speed. Covering him with his rifle, he shouted to the fleeing deputy to come back, a command Collier meekly obeyed.

When he returned Boone said, pointing to the prostrate form of the wounded sheriff, whose head Charley was supporting in his lap:

"Tom Collier, you are responsible for this. You fired on me like I was a dog, and I thought it was you when I fired."

"I know it," whimpered Collier, "but don't let us say anything more about it."

"You cowardly scoundrel, I shan't let you live a minute," replied Boone. "Charley, let me shoot him between the eyes," at the same time drawing bead on the spot indicated. Collier crouched down behind Charley and begged him piteously not to permit Boone to kill him. Charley, who was in many respects the leader of the brothers, told Boone not to shoot, and the latter reluctantly took the Winchester from his shoulder. Collier continued to cling to Charley till Boone mounted Shoat and rode off. Before starting he insisted that each of his brothers present as well as those absent, should regard his wish, swearing to him that in case he should be killed while resisting arrest, (for he would never submit to another arrest—he had been treated too badly in the Graham jail, consequently did not propose to try any more of the jail life,) "not one of you are to raise an arm in revenge for me. Try to let your troubles die out, if possible. I am the one who shot Wallace, and am willing to pay the penalty, though it was an accident."

Turning to the wounded and gasping sheriff, Boone said:

"You believe me, Mr. Wallace—you believe I never intended to shoot you, don't you? I would not have shot any man only for good reasons and in self defense."

"Why did you shoot me, Boone," asked the wounded man feebly.

"Don't you understand yet that I thought you were Collier?"

"Did you think I was Tom?"

"I certainly did, for had I recognized you God knows I never would have fired, for I have nothing in the world, Wallace, against you."

"I forgive you, Boone, and here is my hand," gasped Wallace, extending a trembling hand, which Boone grasped warmly in both his own.

Wallace was carried into the house, where Mrs. Marlow and the other women administered to his wants as best they could. At Charley's suggestion Ellie caught a horse and went to Graham for a doctor, and once in the saddle, he struck into a furious gallop and never drew a line until in front of the physician's office.

Alfred mounted another horse and rode off to summon the neighbors, and Boone having by this time disappeared miles away toward the distant horizon, Collier sneaked around the house and made tracks in the direction of town, unnoticed by anyone.

The wounded sheriff suffered a great deal, and though he bore up with the strength and fortitude of a brave man, he could not suppress an occasional moan which the pain forced from his blanched lips. The women staunched the flow of blood, bathed his face and hands, gave him cooling drink and watched over him so carefully that they did not mark the flight of time until they were surprised by the sudden return of Deputy Collier with a crowd of men at his back. Among the men were several of the boys' bondsmen, and they immediately turned the lads over to the tender mercies of Collier, who gave them to understand that they were again prisoners. George, who was seven miles away on his farm when the shooting occurred, had been summoned by Alfred, and the two arrived just in time to be arrested with Charley. Ellie, having started the doctor off in haste to attend to Wallace, remained in town to tell others of what had happened, and was thereupon arrested and thrown into

jail without comment or investigation. So in a few hours after that terrible drama of that December day the Marlow brothers again found themselves in custody and confronted by a more serious charge than before. Not all of them, either, as Boone was well out of the country, and was never again seen alive by any of them except his mother and three sisters-in-law.

Upon the arrival of the doctor the wounded sheriff was placed in a hack and removed to Graham, where he lingered between life and death for just a week before he died. He was shot on the 17th and buried on the 25th.

Sheriff Wallace was a popular man and leading citizen and had treated the Marlows kindly while they were in his care before they were released on bail, and after they were released he was a frequent visitor to their home, and not one of them would have intentionally harmed him.

After the boys were again arrested Young Ousley, the same young man that assisted George in bringing the stock down, returned to help the women in any way he could. Johnson, fearing that this young man would be of some use to them, gave him a given length of time to quit the country, which threat had its desired effect. This left the four women alone.

The Marlow brothers had ceased to fear Johnson because of the reputation of the man in general. Some of the best citizens had expressed their opinion of him to the effect that he amounted to very little as a man of honor. Among these was the late sheriff, who expressed himself thus:

"All Johnson wants is your stock; he will let you alone when he gets all your money. He isn't apt to molest a poor man. Yes," he continued, as he seemed to recollect some past villiany of Johnson's, "the infernal rascal has forged many a warrant to make a few dimes."

CHAPTER IX.

REWARD FOR BOONE, DEAD OR ALIVE—HIS ESCAPE.

A LARGE reward was offered for the capture of Boone Marlow, dead or aliev, and in consequence the country swarmed with men eager to obtain this reward, either by fair means or foul. Boone soon learned of this, and fearing detection, he retraced his steps back to the home place and hid for the time being in a large stack of wheat straw, about half a mile from the house. He tunneled into this big hill of straw for quite a ways, and excavated a room in its interior large enough for all practical purposes. No one ever dreamed he was in the neighborhood, though crowds of men and officers seeking his life because of the high reward were continually about the premises, thinking no doubt that perhaps he might seek to communicate by some means with his family, and thereby leave some clue by which he might be traced and hunted down.

Food was conveyed to Boone by Charley's wife, who displayed more courage and nerve than is usually shown by womankind, and showed herself to be a true heroine. This brave and true-hearted little woman made the trip from the house to the stack under cover of the darkness every night shortly after midnight, going around by different routes each night and stealing through the trees and past guards and spies with the stealth of an Indian and the silence and swiftness of the air. How she ever managed to escape detection was a mystery, as at no time were there less than fifty to seventy-five men prowling around day and night, and watching with sleepless eyes for any sign or clue of Boone or his whereabouts.

George's wife, Lillian, had moved over, after his arrest,

in order to be with the rest of the women, and to assist in any possible way in bearing the terrible burden of sorrow and distress which had fallen upon them all.

None save themselves can realize how these four helpless and defenseless women suffered and were tortured by the officials and the hordes of reckless men who continually hung around the neighborhood of the ranch and made life miserable for them in a thousand ways. They overhauled everything on the place and in the house, and nothing was too sacred to escape their prying eyes and ruthless hands. They would come into the house and tear down the pillows and poke around the beds with their guns, and tear up the floor, under pretense of hunting for Boone, but really more to irritate and madden the poor half-crazed women than anything else. There was not a box, trunk, closet or drawer that escaped their pilfering hands. There were many volumes of valuable medical works and a few hundred dollars worth of medicines which the family kept in tender remembrance of the good old Dr. Marlow, and these were tumbled about and as roughly used as everything else in the house, until Mrs. Marlow became desperate at the insults and ill usage heaped upon them, and with the help of the girls dug a deep grave one dark night in the bed of a ravine and buried them, preferring them to go to decay to being polluted by the vulgar touch of drunken and insolent moneyed blood-hunters.

Many a night did these helpless and terrified women carry their beds into the woods and pass the night huddled together in tears and trembling fear, rather than remain in the house and run the risk of having it burned over their heads.

With all their bragadocio and daring talk of how anxious they were to meet Boone, not any twelve of them would have dared to stand before him, or make any demonstration against his life or safety, unless it were from ambush or in some cowardly manner behind his back. Boone was but a little fellow, scarce five feet three in height, and slender build, but his nerve and bravery in the face of danger was

so well known and respected in that country that none cared to provoke his wrath or get within reach of his unerring Winchester. They were all very brave, however, when it came to insulting and browbeating defenseless women, and so for weeks this gang of disreputable hounds howled around the Marlow residence, kept themselves two-thirds drunk all the time and made day and night hideous with their noise and boasting threats.

After remaining in hiding in the straw stack for three weeks, a listener and witness to about all that was transpiring around, Boone concluded to change his hiding place to one nearer the house, mentally vowing vengeance upon the first man he saw offering insult to his mother or any of the women who were like own sisters to him. So he looked well to his trusty Winchester and the next night communicated his desires for a change of location to Emma when she came with his daily allowance of food. It was a hazardous and extremely difficult undertaking for him to make his way among nearly a hundred guards and spies who surrounded the house for a radius of a mile or more, ready to shoot him down like a dog at sight, but Boone knew no such word as fear, and so at about the hour of midnight he crept silently and cautiously out from the stack and like an Indian stalking a foe crawled through the brush and into the grove of trees. With the silence of death he made his way toward the ranch yard, and finally crept within the shadow of the house. Hastily making his way to the door he whispered his mother's name, and the ever watchful woman was at the door in a moment. All crowded around him and silently but joyously welcomed him as they drew him quickly into the room and made doubly fast the door.

Silently and in whispered conversation were the succeeding hours passed, and in darkness, for they dared not light a lamp. The poor old mother clung to her boy as though in constant fear that he would be torn from her and put to death, and all together they huddled in the darkened and barred room and discussed plans to meet and cope with

the worse than perilous situation.

At about an hour before daybreak Boone crept cautiously out from the house and silently made his way under cover of the darkness to an old corn crib near by, where he secreted himself under a pile of corn fodder which had already been carefully examined by the men hunting for him. From here he could command a view of all that went on, and was comparatively safe from discovery for a few days at least.

When the morning was more advanced Lilian started out for the farm of A. G. Denson, where all their horses were pastured, intending to get a horse by some means if possible, and aid Boone to escape from the neighborhood. Their movements were so closely watched that this was no small undertaking, as suspicion would be aroused by a breath of air. Upon arriving at the ranch Lilian informed Mr. Denson that she would like to get one of the saddle horses to make a trip to town, and that worthy gentleman, suspecting nothing, readily gave his consent and allowed her to pick out one to suit herself. She chose a small jet-black horse belonging to Ellie, as being the best for the purpose. Shoat was among them, but he was so well known all over the country that it would have been a very easy matter to trail him wherever he went.

After securing the horse, the next thing was to manage in some way to communicate with Boone without raising the suspicions of the guard, which seemed to have been doubled that day.

By very unconcernedly taking an empty bed tick out to the crib and industriously cramming the dry fodder into it, under cover of the noise they made among the dry rattling blades they were able without detection to communicate their plans to Boone, and that night about 10 o'clock Boone emerged from the corn blades and once more ran the gauntlet. He reached the house in safety, where the anxious women awaited him with bated breath, realizing what great risk he ran of being discovered; and they also knew that

detection meant death to many, for he would sell his life as dearly as possible.

This horse of Ellie's was as black as night, with the exception of a tiny white spot in his forehead, which Boone covered with tar from a wagon wheel that stood in the yard. The horse was equipped with Ellie's saddle also. When ready to start Boone once more bid them never think of him if killed, and above all things, he said as he held his weeping mother in his arms, "If I am killed, never, never let one of the boys try to avenge my death." Then gently forcing the aged arms from around him, he hastily kissed the three noble sisters who had been all an own sister could have been to a dearly beloved brother, mounted and passed out of their sight. Many minutes the four women stood and listened to the muffled sound of his horse's feet as long as the faintest echo could be heard. Then the sisters gently led the lone and heart broken mother into the dark and gloomy house. Besides the clothes he wore, Boone carried with him an overcoat, muffler, testament and one gun—a Winchester.

The next morning Lilian reported to Denson that she had tied the horse to the wheel of a wagon which stood in the yard, intending to start very early the next morning on her errand, and upon going out at daylight found the horse missing. Thinking that he had worked himself loose and was feeding somewhere in the near neighborhood, she had searched the country thoroughly in every possible place she thought likely for him to be, and she was afraid he was stolen, and guessed she wouldn't go to town at all now, but look for the missing horse.

If Denson suspected that she was deceiving him, he never made it known by word or action, so the report gradually went the rounds that the horse had been stolen by some unknown party or parties.

CHAPTER X.

ESCAPE FROM PRISON--RECAPTURED.

WHEN the four brothers were taken to jail in Graham they were stripped naked and their clothes searched for arms or weapons of any description. Then they were shoved roughly into a small steel cage and locked and barred in with extra precaution. The turnkey and other jail officials and peace officers seemed determined to make their existence as miserable as possible, and every possible indignity and insult that could be devised was heaped relentlessly upon them. Their friends and even their mother and wives were denied admittance to them, and not a message or article of any kind was allowed to be transmitted either to or from them. The food they were given was of the coarsest kind, and not enough of it to have satisfied the hunger of one man, much less that of four strong and stalwart men like the Marlows were at this time.

As day after day passed under this treatment, the realization that they were to be starved to death like rats in a cage forced its way upon their minds with all its horrors, and smarting under a hundred other insults, taunts and indignities, it is no wonder their free Western spirits rebelled, and that they resolved to make a bold break for liberty.

Among the prisoners was a man named Speers, who had managed in some way to conceal a large pocket knife upon his person when he was incarcerated, and this he stuck into the end of a broom handle and poked it through the bars of his cell and across the corridor to the cell of the Marlows, and with it they commenced the work of digging out.

There was another man in the cell with the Marlows,

named Cummings, who had been jailed for some small misdemeanor, and they all took turns working with the knife each night to cut away the wall which lay between them and liberty, concealing the opening being made by means of a blanket in the daytime. They had a sheet of iron to cut through, as well as the wall, which was necessarily very slow and tedious work, having nothing but the pocket knife in the way of tools, but they were strong and determined, and worked away steadily through the long hours of each night, thinking as each chip of iron or piece of stone dropped out that it was just that much nearer to liberty and freedom for them. It took them just a week to cut a hole through large enough to crawl out of, and then everything was cleaned up nicely so that the turnkey would not be suspicious, and plans were laid to escape that night. The guard was watched that day with anxious eyes, but he showed no signs of suspicion, and so after all were asleep the boys tore up their blankets and tied them into long strips to form a rope on which to descend through the opening they had made to the jail yard below. One end of the blanket rope was made fast to the timbers of the room near the hole, and the other lowered to the ground, after which Alfred clambered out and slid down in safety. The others followed quickly and silently, Cummings bringing up the rear. Once on terra firma again, Cummings separated from the Marlows, he taking a northerly direction and making good his escape, and they striking out in the direction of their home, fifteen miles distant.

The night was bitter cold, and having no overcoats or wraps, they suffered keenly from the icy blasts that swept unbroken over the prairie and through the timber. They took a circuitous route to avoid detection, and were thus forced to be out in the cold all night.

At daybreak they came in sight of home, and the smoke curling upward from the chimney in the old familiar house was a sight that gladdened their hearts and put new life into them. They quickened their steps and had almost

reached the ranch yard, when with the suddenness and unexpectedness of a flash of lightning a posse of men rounded the trees on horseback and rapidly bore down upon them. It was Collier and his posse, and a dozen others, who had been on guard around the house that night and had espied the boys the moment they came out of the timber.

The Marlows were totally unarmed, and resistance against twenty or more heavily-armed men was useless, so when sternly commanded to halt on penalty of instant death, they had no other course left but to submit. It was bitter medicine to be thus captured again when in sight of home, but there was no alternative, and at the point of a dozen revolvers and Winchesters they were turned around and marched back to town and to prison. All unconscious of their escape, their mother and wives were preparing the morning meal, less than half a mile distant.

Upon again arriving at the jail they were first searched and then taken in a body to a blacksmith shop, where they were shackled and chained together, two and two—Charley and Alfred, George and Ellie. When the job was done and they were again locked in the jail, this time in another cell, Sheriff Collier said:

"Now, damn you, I guess you'll not get away again."

"The feeling throughout Young county on account of the shooting of Wallace was intense. At his death the demand for vengeance was general, and the enemies of the Marlow boys were quick to take advantage of it to secure their ends. Collier, in whom as chief deputy was lodged the authority of the sheriff, and who on the death of Wallace succeeded to that office, joined hands with Johnson and Criswell to bring ruin on the Marlows. Collier led a party in search of Boone, and talked constantly of his fear that a mob would take the Marlows from the jail and lynch them. This was the first mob talk that was heard; but when a week later Wallace died, the conspiracy for the mobbing of the jail and lynching the Marlows was in full progress. The leading spirits in inciting the mob, besides Collier, Johnson

and Criswell, were John Leavels, the deputy sheriff to collect taxes under Wallace and Collier; P. A. Martin, the county attorney; Eugene Logan, a deputy sheriff; Ben Williams, son of the county judge; Sam Waggoner, a constable; Morrison Wallace, a nephew of Sheriff Wallace, and appointed by Collier to be jailer; Clint Rutherford, Robert Holmes, Bruce Wheeler, Dink Allenk, Will Hallice, Frank Harmison, Pink Brooks, Verner Wilkerson and several other citizens.

CHAPTER XI.

LYNCH LAW—AT THE MERCY OF A MOB.

STRONGER and stronger grew the sentiment against the Marlows. The officers who had in the beginning started out to ruin them left no stone unturned to accomplish their purpose, but actuated by the hope of gain and personal aggrandizement they spread abroad every lie and innuendo which could suggest itself to their fertile and scheming minds.

Here were four innocent men in prison—men who had never in their lives committed wrong by word or deed—yet they were manacled and ironed like desperados of the worst type, held in prison under the charges of theft and being accessory to the heinous crime of murder, and outside the people were worked up and so incensed against them that they already thirsted for their blood, and muttered threats of lynching them could be heard on every side. The death of Wallace and their subsequent escape from the jail of course intensified this feeling, and things began to assume for them anything but a roseate hue.

On the night of January 17th the trouble which had

been brewing came to a climax, and the jail was turned over to an organized mob by the peace officers already named. The details of the lawless project were carefully planned, and it was decided to work quickly, quietly and systematically. No shots were to be fired, as that would arouse the town and perhaps cause the recognition of those forming the mob.

The mob was to do its work in darkness, and the identity of its members was to be kept secret. Alibis were arranged by which one could prove by another that he was not at the jail, and Sheriff Tom Collier and Constable Waggoner swiftly rode away after the attack with the pretense of serving a warrant, these things being prepared beforehand. After the town was quiet the mob went to the jail.

The prisoners had been ordered to bed earlier than common on this night, and the most of them had been asleep when the mob arrived. Presently they heard the men coming up the stairs from below. There were two cells in the jail at this time, known as the north and south cell. The south cell was so damaged by the Marlows when they made their escape a few days before, that all the prisoners were in the same cell on this night. The mob came to this cell and made every effort to get the Marlows from among the other prisoners and get them outside at the same time. They were afraid to shoot, as that would alarm the town. They tried to force the other prisoners to shove the Marlows out, but they would not try it, although the mob held guns and pistols to their heads and threatened to blow their brains out. The prisoners were apprehensive of a mob and took the crowd for what it really was. In the afternoon of the 17th Collier had been in and ironed Speers and Burkhart, two other prisoners, and told them that they should not be hurt, "But I swear to you those Marlows shall catch hell," he added. The mob was disguised, but their disguises did not prevent the prisoners from recognizing in them the jail guard and several other peace officers of the town. John

Leavels was in the lead (Leavels was turnkey) and unlocked the door.

Leavels told Charley to come out, that there was a man out there who wanted to see him. Charley and Alfred walked up to the door, one on each side, but Speers spoke up and said:

“Don’t you see it is a mob? They are all disguised. Don’t go out.”

Charley said: “What do they want with me, Leavels?”

“I don’t know what they want,” replied Leavels, “come out and see.”

Charles declined to go out at all. Eugene Logan had a gun drawn on Speers’ back. Speers told him if he meant to kill to shoot him in the face and not in the back. Logan said he would not kill him if he would put Charley Marlow out of there. This Speers, as the others had done, refused to do.

“I have lain here every night and wanted water,” said George to Leavels, “and when I begged you for some you said that the keys were at the office and that you could not get it for me, and now you have let men in here to kill us.”

“Mr. Leavels is here under arrest,” said Logan.

Martin brought in a lantern to show Logan where to shoot Charles, as he said. Martin jabbed Speers in the side with his gun and said:

“Shoot Speers; he wants to die.”

At last one of the mob, tired of delay, made a rush for Charley Marlow. He didn’t get him, however, for as he entered Charley struck him a terrific blow on the head with his fist, knocking him headlong through the door and against the stone wall of the prison, where he fell unconscious to the floor. The mob started back in dismay, but presently the man revived and gasped.

“Take me out, Frank,” (meaning Frank Harrison) “for I am bleeding to death.”

The mob returned, picked him up and carried him down stairs. This was young Robert Hill, and he died two days

later of inflammation of the brain. Charley's desperate blow did its work.

Speers told Clift to screw off the water pipe in their cell. He got it off and gave it to Alfred Marlow. The mob returned shortly and called all the other prisoners out, there being four, leaving the Marlows in the cell alone. The men taken out were put in the south cell. The mob then went down stairs, only to return after ten minutes. In the meantime the Marlows arose and stood side by side, determined to make as good a stand as possible. Clift, in the south cell, crawled out through the hole that the Marlows had cut, it not having been repaired, and started down stairs, saying that he was going down town and let the people know how they were being treated. The mob met him on the stairs and sent him back to the cell. The mob returned with Leavels in the lead, swinging a lantern in one hand and the keys in the other. With the mob at his heels he unlocked the door, while George endeavored to dissuade them from their purpose.

"Men," he said to the guards, whom he recognized in spite of disguise, "we are prisoners and you should protect us from a mob. We have done none of you any harm. Neither of us killed Wallace, as Collier knows, and when our brother shot him he knows it was meant for himself; and Collier knows also that when our brother expressed his sorrow for the mistake, the sheriff extended his hand in token of forgiveness, of his own free will. Some of you have mothers and wives. Do you think they would be pleased to see you engaged in such unlawful work?"

The longer he talked the louder and more wicked the mob cursed them, so he gave up all hopes of accomplishing anything by reasoning, and the four stood there waiting, resolved to die fighting.

Marion Wallace started into the cage to bring Charley out. The mob thirsted especially for his blood, as Collier had spread the report that Charley instead of Boone had killed Sheriff Wallace. On reaching the door Marion Wallace

noticed that Alfred, the strongest of the lot, had a big joint of lead water pipe in his hand. Seeing Alf standing there ready to brain his assailants as fast as they entered the cage, Wallace stopped and backed away. When challenged to go in he said:

"I'll be d—d if I'm going in there to be killed."

Some of the mob then got a rope and tried to lasso the brothers, but the Marlows were up to that trick, and it could not be worked. The mob then poked their guns through the bars and threatened to shoot them where they stood if they did not come out quietly, which the boys refused to do. They were punched and struck with the guns, but the men holding them did not dare to fire, for fear of rousing the town. Tiring of this sport, the mob abandoned the attempt to dislodge them and left the jail. The Marlows talked the matter over, and though they had recognized their assailants, they decided to disclaim all knowledge of them, hoping by that course to secure their own safety.

About one hundred yards from the jail was a cemetery, in which the mob had hidden four ropes with nooses, which were found afterwards.

A short time after the mob had left the jail the guards removed their disguises and returned, laughing and telling the prisoners how they scared the mob away. They wanted to know if any of the mob had been recognized, but the prisoners claimed to know nothing of their identity.

After retiring from the jail the leaders of the gang hit upon a new plan, in accordance with which they aroused the town at about 4 o'clock the next morning and gave out a well-fabricated account of how a gang of desperadoes from the Indian Territory, led by Boone, had ridden into the town in the night and made an attempt to capture the jail and rescue the four brothers. They told how the attempt had been foiled by the watchfulness and courage of the faithful jailer and his guards.

During the next day these startling "facts" were telegraphed to United States Marshal Cabell, at Dallas, Texas.

He wired his deputy, Ed Johnson, to remove the Marlows to Weatherford, sixty miles distant, for safe keeping. This answer was received on Saturday, January 19th, a date remembered by many with sorrow.

Immediately the mob leaders got together and again laid plans for the next attempt. A new and larger mob was organized and the guards agreed to offer no resistance when attacked. It was decided to get the prisoners outside before another attack should be made. There were six of these so-called guards, three of whom were chosen by Ed Johnson and three by Collier. Johnson selected Criswell, P. A. Martin and John B. Girand, son of a United States commissioner at Graham. Collier chose Marion Wallace and Will Waggoner, both deputies, and Will Hollis, all of whom had been members of the jail mob. It was a party organized in the name of justice, but intent upon revenge.

On the evening of the 19th Collier and Johnson notified the Marlows that they would be taken to Weatherford that night. While they were waiting to start they were all re-ironed, the brothers having broken their shackles the day before. Clift and Burkhart were ironed together and the Marlows were fastened as before. Alfred asked what guards they had, and when they were informed by Johnson their hearts sank within them. They had recognized all of these as a part of the men bent on their death, yet they decided that they would stand a better chance outside if attacked than in, so rather favored the change.

When Clift tried to put on his boot over his irons he found it necessary to remove the top; so tearing it off, he said:

"Here, Leavels, I will give you this to remember me by."

"All right," said Leavels, "I will take it, for you will be on the pauper's field before daylight anyway."

"What's that, Leavels?" said Clift.

"Oh, nothing; they will take you to Fort Smith and I won't see you any more."

Just before starting Eugene Logan, one of the jail

guards and a leader of the mob, called out:

"Oh George!"

"What do you want?" answered the man addressed.

"Sing me a song. I'm going to leave you to-night, and want to hear you sing again."

George sang and Logan complimented him on his voice, and added:

"I'm going home to-night, boys, to recruit, and hope the mob won't get you."

This man was just from a meeting of the leading conspirators, where all the details had been arranged to waylay and assassinate the prisoners.

At 8:30 o'clock Johnson and some of the guards came up after the prisoners. He told them that no one knew of their removal excepting the three or four guards around the jail and those who were going along. Upon reaching the ground floor they found about fifteen men standing around, and on going outside they discovered thirty more.

CHAPTER XII.

THE REMOVAL AND FINAL ATTACK—BATTLE OF DRY CREEK.

THE prisoners feared a mob worse than ever when they saw the crowd, and asked Johnson if he would arm them if they were attacked.

"Yes, I will," he said.

There were two hacks and a buggy in sight. The six prisoners and driver got into one of the hacks and started, Clift and Burkhart, who were chained together, occupying the front seat by Martin, the driver, who was unarmed, for fear the prisoners might take his weapons from him when the attack was made. The four Marlows occupied the back seats. In the second hack were the two deputy marshals, Edward Johnson, a kinsman of Ex-Attorney General Gar-

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land, who had command of the party; Sam Criswell and the other guards, who were all heavily armed.

Criswell, fearing that the prisoners were not secure, was in favor of tying them to the bottom of the hack by a rope being run through their shackles and passed through the bottom of the hack. But this was not done, which proved to be a very fortunate thing for the prisoners. The hack in which they rode drove on ahead of the others and out of sight. The prisoners became quite uneasy at finding themselves so far from the guards, chained as they were, with nothing to defend themselves against an attack, and with a driver whom they knew to be one of the leaders of the mob of the seventeenth. They had no faith in the guards, yet hoped against reason that they would be armed, if not protected. George remarked that the other hack was not coming, to which Martin said:

"They will catch up presently."

A few hundred yards farther the other hack came in sight. The vehicles moved slowly along the road until they came to a small stream called Dry creek, two miles from Graham. On the opposite side of the creek was a long lane, separating two pastures covered with large trees and brush about as high as a man's head. The banks of the creek were steep and high.

The procession halted within a short distance of the creek, the guard hack drove alongside of the other one and Johnson alighted, saying:

"Maybe the boys would like a drink."

Handing a flask to George, he shouted at the top of his voice:

"Boys, have a drink."

The bottle went the rounds, the prisoners taking a little in their mouths and instantly spitting it out, fearing it contained poison.

The prisoners now made the discovery that not one of the guards wore an overcoat or had a lap robe. This scant clothing for a sixty-mile ride on a cold January night looked

very suspicious, to say the least. Clift had a blanket over his lap, which he offered to share with Martin, but the driver said that he didn't want anything in his way. Taking in all these suspicious points, Charles said:

"Boys, we will be mobbed in fifteen minutes."

"Ed, you will arm us?" said George.

"Yes," he said, "and die with you."

You will certainly arm us, Ed, if it comes to so bad as that?" said Charles.

"Yes, I will."

"Boys," said Charley, "that mob is lying in some thicket close to us."

They knew a plot was afloat for their destruction, and nerved themselves with the determination to sell their lives as dearly as possible when it came to the worst. Martin started up and the other hack followed. The assertions of the guards did not deceive Charley Marlow. As their hack emerged from the creek bed and climbed the ascent he saw the trees and bushes on the south side of the lane, the moon shedding a bright light over them.

"Boys," he said again, "we will be killed; the mob is hiding somewhere in that brush."

Hardly were these words out of his mouth when the leader of the mob arose from the brush and shouted:

"Halt! Hold up your hands!"

A sheet of flame leaped out of the bushes, the reports of a score of rifles rang out upon the still night air, a crowd of armed men sprang out from the bushes and ran yelling to the foremost hack.

"Here they are," shouted Martin as he scrambled from the hack, "take the whole six of them."

At the first alarm Charley and Alf jumped over the side of the hack away from the mob and hobbled as fast as their chains would permit to the hack where the guards were handing their guns and six-shooters to the mob. Charley wrenched Johnson's revolver from him and Alfred grabbed hold of the barrel of a gun belonging to one of the mob.

Charley drew the pistol on the man holding the other end.

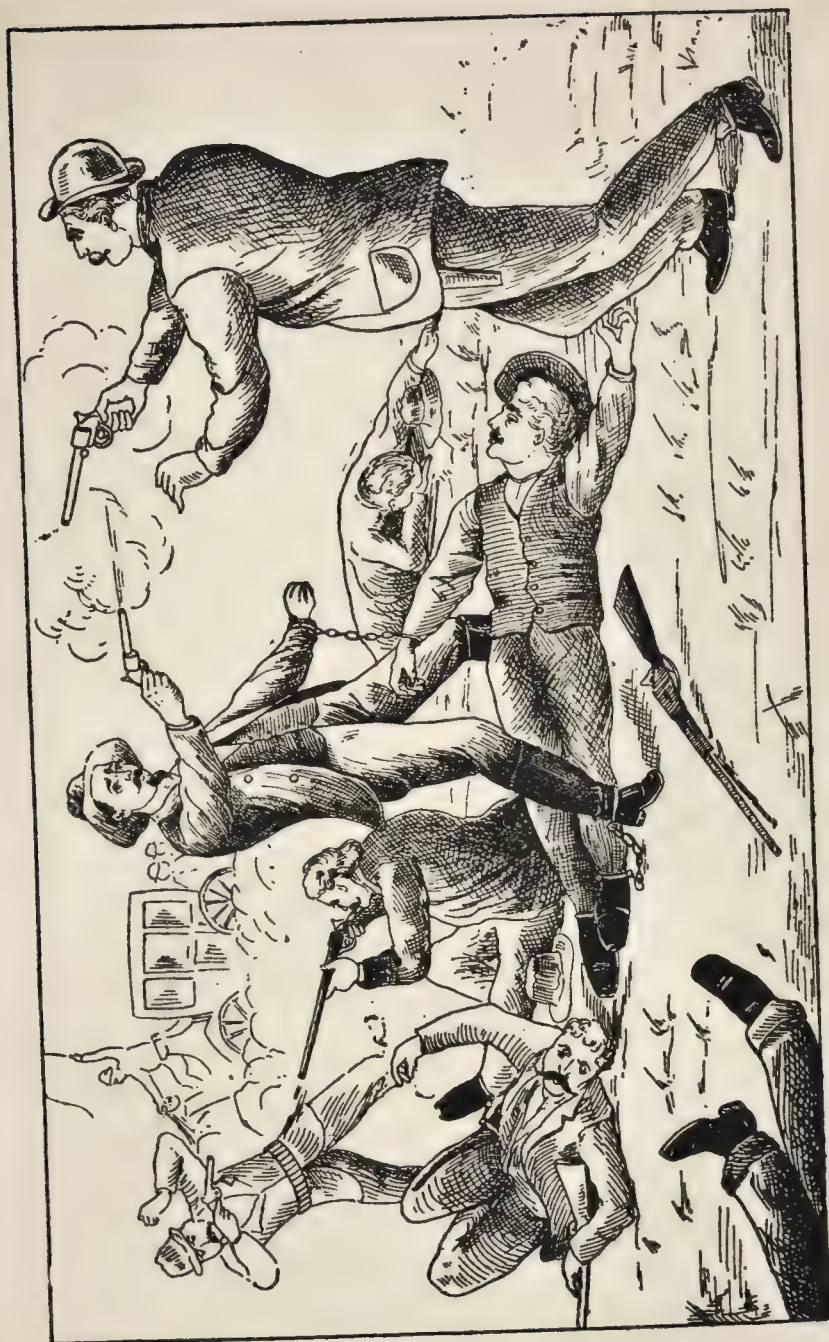
"Don't shoot," begged this man, "I am a guard."

"Let it loose, then," demanded Charley, and he gave it up.

George and Ellie were the next to gain the ground. As they landed a man heavily armed passed them and George jumped upon his back, bore him to the ground and seized a pistol and Winchester. He passed the pistol to Ellie, cocked the gun and shot the man in the back as he started to run. The mob formed a semi-circle around the two hacks and fired a volley upon the Marlows, who were standing back to back. The famous battle of Dry creek had begun.

Clift was a man who feared nothing, while Burkhart was extremely cowardly. Clift was shot through the thigh at the first onslaught, while trying to take a gun away from one of the mob. This might not have happened if he had not been so hampered by Burkhart, who, after Clift was wounded, crawled under one of the hacks, dragging the half-conscious man with him and yelling "murder" at the top of his voice.

The Marlows then fired a telling volley into the ranks of the mob, and one man was seen to fall and crawl off into the brush, while another, shot through the pistol hand, jumped up and down in the road, cursing like a pirate. The mob, disconcerted by finding the boys armed and ready to fight to the death with undaunted courage, beat a hasty retreat into the timber to get ready for a grand charge which should annihilate the boys at once. They reappeared in a few moments, whooping and yelling like Indians, and firing as they advanced. Alfred fell when this volley was fired, stone dead, shot fifteen times through the head, body and shoulders. A man passed them closer than the rest, firing point blank several shots at Ellie, who, mortally wounded, threw down his empty revolver, snatched a Winchester from George's hands, brought it to his shoulder while he reeled in agony and fired at the man who had shot him, and fell headlong to the ground at the same time, never to rise again.





George was shot through the right hand, the ball striking his gun and knocking it against him with such force that he was nearly paralyzed for a moment. Charley was unhurt.

One brother in each chained pair had been shot down, and lay stark and cold upon the ground, still grasping in death their weapons. The two yet alive were rendered desperate by the slaughter of their brothers, and continued to fire shot after shot at their foes.

George, as soon as he recovered his self-possession, rested his rifle upon his wounded arm and again poured a regular fusilade into the ranks of the scattering mob, working the lever of his magazine with his left hand, as a result of which two more men fell prostrate in the road, and lay where they fell. Others, wounded, ran off shouting and cursing with pain and leaving a trail of their life blood behind them. The mob scattered in all directions and again disappeared among the trees and underbrush.

Glancing back along the road in the direction of Graham, Charley saw in the creek bed what he took to be a buggy. It was hardly discernible in the obscuring shadows of the creek banks, but he raised his rifle and was about to fire, when Charley said:

"Don't shoot down there. That's the buggy and those are the guards."

George shifted his aim and fired into the brush. At the same instant, from the gloomy depths of the creek bed came a flash and report of a Winchester, and Charley sank to the ground. George then fired quickly at the buggy, which instantly disappeared down the bed of the stream.

George alone was left standing. He called to Ellie, but the poor boy was fast bleeding to death, and gasped with his expiring breath that he could never get up again. He called to Charley, but there was no response. He shouted aloud to Alfred, but only the echo in the lonesome trees answered—Alfred was dead.

George stood there alone in the cold January night,

while the moon looked down upon the upturned and blood-stained faces of the dead, and the mournful wind moaned a solemn requiem through the shivering branches of the leafless trees. Himself wounded and bleeding, with one hand shot through and useless, chained to one dead brother and two more lying apparently dead a few feet away, his hope was forlorn, yet his courage undaunted, and in a frenzy of anguish and pain, he shouted aloud to the retreating mob:

"Come back! Come back again, you cowardly hounds! We have plenty of ammunition and no one is hurt. Come on! Come on!"

One man of that panic stricken mob turned back. It was Frank Harrison, considered the gamest man of Young county. Wounded and numbed at the first volley of the Marlows, he had just recovered himself when he heard George's challenge, and rose and drew his six-shooter.

"Where are you going?" asked another of the mob.

"I'm going back to have it out," was Harrison's reply.

"Don't go; you will be killed," continued the other.

Frank Harrison did not heed the warning. He walked quickly through the woods, and stepped out into the road. George saw him coming. Harrison halted when he saw George, and the two men faced each other in silence. Then, raising their guns fired simultaneously, then again and again. At each shot George advanced a step, dragging after him the dead body of Ellie, to whom he was chained. At the fifth fire Frank Harrison leaped into the air and fell lifeless in the road, shot squarely between the eyes.

So intently was George watching Harrison's advance that he failed to see a tall man step from the shadows of the trees, hardly ten paces away, and raise his pistol to shoot him, but Charley, who had regained consciousness by this time, fired on the tall man, hitting him in the leg. Then began a duel between these two—Charley Marlow and Eugene Logan, the former lying on the ground, the latter standing. They emptied their six-shooters without fatal effect. Charley was not struck at all, but Logan was hit

three times and badly hurt. The last time Logan was hit he fell, but had strength enough left to crawl into the shelter of the brush. The battle of Dry Creek was ended. Three of the mob lay dead in the road, Frank Harrison, Sam Criswell, and Bruce Wheeler. Johnson, Logan, and Clint Ruthersford were badly wounded. Alfred and Ellie Marlow had been killed. Charley, who had been shot down, struggled up, half sitting and half reclining on the body of his dead brother, gasping for breath. He was shot through the lungs. George made his way slowly back to his living brother's side, and the two brothers grasped each other by the hand.

"Charley, our brothers are dead and their souls are in Heaven," said George. Then as he looked upon the faces of the two men whom in life he had loved so well, George was seized with a paroxysm of rage, and once more he defied the mob to come in sight, but none heard him save Eugene Logan, who had crawled off into the bushes to hide, and Martin, the driver, who was skulking in the bushes in fear of his life. When the paroxysm had spent its force, George knelt down by his dead brothers, baring their breasts, and putting his ear to their hearts in the vain hope that he might hear a faint fluttering. He was doomed to disappointment, for Ellie had drawn his last breath a few minutes before, while Alfred had been past human hope a still longer time.

George looked inquiringly at Charley, who directed him to hunt for a knife. Searching the dead body of one of the mob, he found a big clasp knife, whetted it on a stone lying by the road, and handed it to Charley, who had the use of both hands. Charley then unjointed the shackled ankles of his dead brothers and freed himself and George. After freeing themselves at such a cost, the brothers made their way to the hack, Charley leaning heavily on George. Clift and Burkhart were in before them.

After helping the half-fainting Charles in, George gathered up all the loose guns and ammunition he could find, climbed in beside Charles, ordering the cowardly Burkhart

to drive for his life if he was not wounded. To this he replied that he was not wounded in his hands, by which George suppose dhe was shot somewhere else. Handing him a six-shooter, he told him to take that and use it if he had a chance. Burkhart drove the hack until they reached Finis, where they stopped before a house and asked to stay all night. This request was refused by the man that was asked, who went inside and hastily closed the door. George climbed out and got an ax from a near wood pile and on the hack tire broke Clift's and Burkhart's shackles. To their astonishment, as soon as Burkhart was released he ran off into the thick brush, having not received so much as a scratch. The Marlows have never heard of him since.

A short time after leaving Finis Charles became so ill they halted to let him die, thinking it impossible for him to live longer. Clift and George each raised him up by an arm, thinking to benefit his breathing. This move caused him to cough a quantity of clotted blood, which helped him so much that it was repeated with the same favorable results.

When they first stopped Charles seemed to quit breathing altogether. George shook him frantically, begging him to speak to him and asking him if he was going to give it up. A very decided shake of the head was his only answer. George understood that he was not going to give up, and believed that if possible, although it looked very unlikely just then, with his iron will, he would recover. After bathing his face and hands in water that George brought from an icy little stream near, he felt so much better that they thought it best to try to reach the farm, where the mother could care for their wounds. After inquiring their way several different times they finally reached the ranch of O. G. Denson, roused him from his slumbers and explained to him all that had happened. He started back in consternation when he beheld their muddy clothes and blood-stained faces and hands, and did not recognize them at all until they spoke. Denson told them to hurry down to their mother's place and he would follow them there immediately, and

accordingly they started for home. They had traveled about twenty-five miles during the night, and were well-nigh exhausted from fatigue and loss of blood.

Home was reached in the cold grey dawn of the morning, the old mother and the other women awakened and hastily informed of all the circumstances, and the wounded men made as comfortable as time and circumstances permitted.

CHAPTER XIII.

THE STORY IN A NEW YORK PAPER, IN JUNE, 1891.

WE MAKE a chapter here from a detailed statement of the facts now being narrated, which appeared and was elaborately illustrated in the National Police Gazette during the summer of 1891.

HUNTED IN THE LAW'S NAME—FOUR MEN IN SHACKLES AGAINST A HUNDRED—BORDER LIFE IN TEXAS—THE FAMOUS MARLOW MOB CASE.

There is no more startling story in all the turbulent annals of the southwest than the one that will be told when the "Marlow mob" cases are called up at the next term of the United States Supreme Court. Ex-Attorney-General Garland will appear for the defendants in the case, which comes up before the final legal tribunal on a writ of error.

The official records of the case, which are now on file in the Supreme Court, will, it is asserted, disclose an astounding conspiracy, which, started by designing men, finally led a whole community into a series of criminal transactions, and stained the history of a Texas county with blood. The story, now told for the first time, would certainly be incredible if it were not supported at all points by official records.

In 1885 five sons of Dr. Marlow, a Missouri man, who

had moved to Texas, were living with their mother, near where the Indian Territory, southeastern Colorado, northeastern New Mexico, and northeastern Texas come together.

Their names were Boone, George, Alfred, Charles and Lewellyn—the latter better known as “Epp.” Of these all but Boone married soon after. The boys led a semi-nomadic life, and were the best types of frontier plainsmen—brave, honest, shrewd and loyal. Their love for each other amounted to a passion, and was only second to their devotion to their grey-haired mother, a remarkable woman and a descendent of Daniel Boone.

They roamed over the country at will, changing their home as the exigencies of their life demanded, sometimes working, sometimes trading horses, and living chiefly on game, fish and maize.

Late in August, 1888, the first step was taken in the series which lead to the bloody affray at Dry Creek. Two deputy United States marshals—Edward W. Johnson and Sam Criswell—went to the Indian Territory and arrested four of the Marlow boys on the charge of stealing 33 head of horses from Ba-sin-Da-Bar, a Caddo Indian. The theft was said to have been committed in 1885. George Marlow was away on a trading expedition.

The arrests were made without any evidence whatever, as was afterward proved, but simply because the officers had failed to connect any of the “rustlers” with the theft, and felt as if they must make some kind of a showing in order to hold their official positions.

The four Marlow boys were carried to the jail at Graham, the county seat of Young county, where the United States judge of the northern district of Texas held court for the convenience of that and adjoining counties.

When George Marlow heard that his brothers had been arrested, he rounded up the cattle, and, taking his mother, wife and child, and the wives of Charles, “Epp” and Alfred, went directly to Graham. When he endeavored to procure bail for his brothers he himself was imprisoned.

It was then that the Spartan nature of Mrs. Marlow, the mother, showed itself. She went out among the Young county farmers and secured bail for her boys, securing their release one by one. She obtained a cabin on the farm of O. G. Denson, about twelve miles southeast of Graham, and there she and her daughters-in-law were joined by the sons as soon as they were released. The United States marshals knew they had no evidence against the Marlow boys, and so must rely on prejudice. They circulated the report that the Marlows were all bad men. By methods which on their very face bore the stamp of unfairness, Johnson and Criswell, so the story goes, secured an indictment of Boone Marlow on the charge of murdering J. A. Holton, who had been found dead in a gulch.

The capias for the arrest was sent to Marion Wallace, sheriff of Young county, who, accompanied by his chief riding deputy, Tom Collier, started for the Denson ranch to arrest Boone.

On their arrival Wallace walked around the cabin, while Collier went directly up to the door. Boone Marlow first saw Collier, and called out:

"Hello, Tom; 'light and come in and have some dinner."

Collier replied: "I'm not hungry."

"Come in anyway," urged Boone.

Without replying, Collier alighted and walked to the door. He stepped in, and as Boone arose to welcome him, he called out:

"Boone Marlow, I'm after you."

As he spoke these words he aimed his pistol at Boone and fired. Boone dodged and seized a Winchester from the bed. Collier, seeing that he had missed his man, jumped back and closed the door, and Boone fired through the door, the bullet passing through Collier's hat brim. Running to the door, Boone opened it, and seeing a man coming around the corner of the cabin, fired and struck down Sheriff Wallace, who had heard the shots and was hastening to learn of their cause.

Wallace had been friendly to the Marlows when they were in jail, and they were overwhelmed with sorrow at the catastrophe. Boone compelled Collier to come back at the muzzle of his Winchester, and pointing to the prostrate form of Sheriff Wallace, whose head Charley Marlow was supporting, exclaimed:

"Tom Collier, you are responsible for this. You fired on me like I was a dog."

"I know it," whimpered Collier, "but let's not say anything more about it."

"You — scoundrel, I ought to shoot you between the eyes!" thundered Boone, drawing a bead on the spot indicated.

Collier crouched down behind Charley Marlow and begged him piteously not to let Boone shoot him. Charley, in many respects the leader of the brothers, told Boone not to shoot, and the latter reluctantly took his Winchester from his shoulder.

Physicians were sent for, and every care was given the wounded officer; but he died a week later. In the meantime all the Marlow boys, except Boone, gave themselves up and were jailed. Tom Collier succeeded Wallace as sheriff of the county, and this circumstance, combined with the indignation and sorrow over the death of his predecessor, boded no good to the Marlow boys. Boone had mounted a horse and was never seen alive again in Texas. A reward of \$1,500 was offered for him, dead or alive, but all efforts to find him proved unsuccessful.

The demand for vengeance was general, and when Wallace died, a conspiracy, reported to have been led by Johnson, Criswell and Collier, had been formed for lynching the four Marlow boys. Chafing under the indignities thrust upon them, the Marlows resolved to escape. They procured a large pocket-knife, converted the large blade into a saw, and cut their way out of jail.

They went directly to their families on the farm and went to work. They were arrested the following day,

stripped and searched, and when they were dressed, were taken to a blacksmith shop and shackled and chained together, two and two—Charley and Alfred, George and “Epp.”

“Now, — you,” said Sheriff Tom Collier, “I reckon you won’t get away again.”

Two days later, January 17th, 1889, the jail was turned over to a mob, organized and led by the peace officers before mentioned. The Marlows were to be lynched, but no shots were to be fired, as the town would be alarmed and the mob discovered. The conspirators had arranged to swear to alibis for each other if any arrests were made.

The prisoners, who were confined in iron cages, were awakened by rough footsteps. “Boys,” said a prisoner to the Marlows, “it’s a mob, and they’re after you.”

The four Marlow boys rose without a word and stood two and two, as they were chained. John Leavels came first, swinging a lantern in one hand and carrying the jail keys in the other. He unlocked the door of the cage, the mob at his heels. He called to Charley Marlow to come out, saying that a man wanted to see him. Charley refused to go. Believing that the mob meant to put them to death, the Marlows had resolved to stand together and die fighting.

At last one of the mob, tired of delay, made a rush for Charley Marlow. He didn’t get him. As he entered the cage Charley struck him a terrible blow on the head with his fist, knocking him headlong through the door and against the wall of the prison, where he fell unconscious to the floor. The mob started back in dismay. Presently the man revived and gasped:

“Take me out of here; I’m bleeding to death.”

The mob returned, picked him up and carried him down stairs. The identity of this man has never been positively ascertained, but it was noted as a singular coincidence that a prominent citizen who had been in good health on the morning of the day when the attack on the jail was made, died a day or two afterward from alleged brain fever.

Marion Wallace, nephew of the dead sheriff, led the mob on their next attack. The mob tried to lasso the prisoners, then poked their heads with the barrels of their rifles, threatening them with instant death if they failed to come out. The attempt failed and the mob went home. Next morning the leaders gave out the story that Boone Marlow, at the head of a gang of desperadoes from the Indian Territory, had attempted to rescue his brothers, but had been foiled by the vigilance of the faithful jailers.

They managed to get an order from United States Marshall Cabell, of Dallas, to have the four desperate prisoners removed to Weatherford, sixty miles distant, for greater security. Another and a larger mob was organized. It was given out that the six guards commanded by United States Deputy Marshal Johnson and Sheriff Collier would not offer any resistance.

The journey was commenced June 19th. Shortly after 8 o'clock two hacks and a buggy were driven up in front of the jail. The prisoners were brought down still shackled and chained and placed in one of the hacks, driven by County Attorney Martin. In the second vehicle were Ed Johnson, a kinsman of Ex-Attorney General Garland, who had command of the party; Sam Criswell, the other deputy, and two other men. In the buggy were two men, named Sam Waggoner and Will Hollis. The three carriages had not gone two miles before they reached Dry creek, where the tragedy of the night occurred. The hack containing the prisoners stopped suddenly.

"We'll all be killed in fifteen minutes," exclaimed Charley Marlow.

Johnson and Martin tried to reassure him, but he knew danger was coming. As the hack emerged from the creek bed and climbed up the ascent, he saw the trees and bushes on the south side of the lane; and the moon, now well up, shed a bright light over the scene.

"Boys," he said, "the mob is hiding somewhere in that brush."

Hardly were the words out of his mouth before the leader of the mob rose up out of the brush and shouted:

"Halt! Hold up your hands!"

A sheet of flame burst from the cover, the reports of a score of rifles rang out and armed men ran yelling toward the foremost hack. Martin, the driver scrambled down from his seat and ran to his horses' heads, crying:

"The —— scoundrels are in there. Kill 'em all."

At the first alarm Charley and Alf jumped out of the hack away from the mob, and ran as fast as their shackled condition would allow to the other hack, where they each snatched a Winchester from one of their guards. George and "Epp" seized a man who was passing and took from him a Winchester and a pistol. George took the Winchester and gave the pistol to his brother. The mob, passing to the front and rear of the two hacks, fired a volley point blank at the Marlows, who were standing back to back. The battle of Dry creek had begun, with one hundred armed men on one side and the four shackled prisoners on the other.

At the first volley by the Marlows one man fell and crawled away, and another, shot through the pistol hand, jumped up and down cursing. Soon the mob made another rush, firing as they came. Alf Marlow fell dead, with a bullet in his brain, and "Epp" was also stricken down. George was shot through the right hand, but Charley was unhurt. The boys' next volley killed two of the mob. A moment later Charley Marlow sank to the ground, shot through the lungs. Still the intrepid George did not lose his courage. He dared the mob to return to the attack.

"Come on, you cowards; we've got plenty of arms and ammunition, and nobody hurt. Come on, you —— cowards."

One man of that panic-stricken mob turned back. It was Frank Harrison, considered the gamest man in Young county. George Marlow saw him coming. He dropped his empty rifle and picked up the pistol he had given "Epp" at the beginning of the fight. The two men blazed away at each other until Harrison fell in the road, shot fairly

between the eyes. He never spoke nor moved afterward.

George had not noticed that a tall man had advanced behind him and had drawn his pistol to shoot him, only ten paces away. Charley regained consciousness just in time to see this new danger, and fired at the new comer, one Eugene Logan. After several shots, Logan crawled into the brush, badly wounded. The battle of Dry creek had ended.

The surviving brothers, George and Charley, cut themselves from their brothers and made their way to the Denson farm, where they told their sad story to the agonized women. But they had little time to mourn. The house was fortified for the attack their enemies were sure to make, and due attention was given the wounded brother.

The story, as told by the mob, was that the Marlows had been rescued by Boone Marlow and his followers, and that the men who fell died trying to resist the deliverance of the prisoners.

The cry now was: "Extermination of the Marlows—men, women and children." This sentiment overreached the mark and opened the eyes of some thinking men. Marion Lasater, a Scotchman, was a fast friend of the Marlows. When an attempt was made to arrest them in their home he went to the house, and being admitted, manned a rifle in their behalf.

Sheriff Monroe, of Jack county, had now come to assist in the siege. He saw the animus and went home disgusted. A reaction set in. The mob camped at a safe distance and waited until Capt. Norton arrived from Dallas, and then the boys gave themselves up and were taken to Dallas in safety.

They were tried at the March term of court, 1890, on the charge of horse stealing, and were acquitted on that and all other counts against them. At the next election "mob" and "anti-mob" tickets appeared in the field, the latter being victorious and placing Marion Lasater in the office of sheriff.

Many arrests followed. Indictments were found by wholesale against the participants in the transactions of the mob. Shortly after the Dry creek battle three desper-

adoes brought in the body of Boone Marlow and secured the \$1,500 previously offered for his capture. Later developments proved that Boone had been poisoned by the brothers of a sweetheart he had found in one of the white families of the Indian Territory, who was supplying him with food.

The three men who brought in the body have since been indicted for murder. Sam Criswell, Bruce Wheeler and Frank Harrison were shot at Dry creek; Tom Collier and "Bee" Williams died in prison; Marion Wallace lost both arms, and Eugene Logan and Sam Waggoner are doing long terms in the penitentiary.

The trial of the conspirators and mob leaders was held at Graham before Judge A. P. McCormick. The indictments, drawn by United States Attorney Eugene Marshall, filled 175 type-written pages and required a whole day to read to the jury. The accused were well defended, and were found guilty. Their counsel have carried their case to the supreme court of the United States, and whatever the result may be, the case affords a signal illustration of unscrupulous persecution by public officials and of the tables turned on the persecutors.

CHAPTER XIV.

THE HOME BESIEGED—ONE HUNDRED TO ONE.

BRIEF time was there for the wounded brothers and grief-stricken women to lament over the death of their loved ones, for their frail cabin had to be turned into a fortress, and hasty preparations made to defend their home and lives from the-bloodthirsty horde which would be sure to arrive before long.

The brave mother was first to recover her self-possession, and commenced without delay for the siege. Charley was faint and helpless, the night's ride having exhausted the

little strength his wounds had left him. The only way in which he could breath was when propped up in a sitting posture, and in this position, with a Winchester across his lap, he sat the following two days and nights. If anyone spoke loud or passed before him, he would instantly grasp his gun deliriously, try to draw it, then finding his mistake, sink back more exhausted than ever. The mother took command, Charley's Alfred's and George's wives doing as she directed. When they had done all they could to put their little cabin in a state of defense, they busied themselves preparing cooling drink for the boys, and quietly awaited the coming of their enemies. Clift was in agony from a ragged wound in the thigh, and leaning on two guns, he continually hobbled up and down the floor, in too much pain to be quiet.

After the rout at Dry creek all the living members of the mob, except Logan and Martin, fled to Graham as fast as their horses could carry them, and circulated the report that a gang from the Indian Territory, headed by Boone Marlow, had rescued the Marlows after a desperate fight, in which some of the guards had been killed and others wounded. This story, shrewdly contrived for the purpose, spread throughout the town and county like wildfire, and roused the people to a demand for vengeance.

Had all the Marlows been killed, and Clift and Burkhart with them, as the mob expected them to be, who was there to dispute this fabrication? This story would have evidently been accepted as the true state of affairs. Of course violent counsels prevailed at such a report and there was no lack of volunteers. "Extermination of the Marlows," was the cry. A deputy sheriff was dispatched to Jack county to procure aid from Sheriff Moore and his posse, and when the sun was about an hour high on the morning after the night at Dry creek, the avenging cavalcade, with Sheriff Tom Collier at its head, began its march to the Denson farm. There they were soon found by the sheriff of Jack county, whose posse numbered thirty men. Collier's force numbered over a hundred before the arrival of the reinforcements.

Collier had demanded surrender of the Marlows, but this they refused. George replied:

"We will give ourselves up to George Cabell or his chief deputy, Captain Morton, and to no one else. And if we are attacked we will defend ourselves to the end."

His words gained additional force when the mob saw the muzzles of half a dozen Winchester rifles projecting through the rudely-cut loop holes. Collier and others of the principal conspirators urged the storming of the cabin. In this crowd was one man who would attract attention anywhere—tall above the average, yet graceful in every movement, clear blue eyes that could blaze and sparkle at an injustice, twinkle with merriment when occasion offered and never faltering under the most searching gaze. He had been one of the posse that had sought Boone Marlow at the time of the killing of Sheriff Wallace, always treating the helpless women of the Marlow family with the greatest respect, assisting them in every way possible. He had assisted in the recapture of the other four Marlows at the time of their escape from jail, but had heard only one side of the affair then. He had no part in the conspiracy and had not participated in either the mob at the jail or at Dry creek. Collier's denunciation of the Marlows and his declaration that they should be wiped from the face of the earth, men, women and children, so that their names should become extinct in years to come, opened his honest eyes to a clear understanding of the motives actuating Collier and his fellow conspirators. He very modestly called attention to himself and made a few remarks to the crowd. It was the first attempt of his life at a public speech.

"Men," he said, with a slight Scotch accent, "There has been enough bloodshed in Young county growing out of this affair. These men," pointing to Collier and the other leaders, "have not brought us here in the interests of peace and justice, but as a mob bent on wreaking vengeance on those men in there, who haven't done anything but defend their lives when attacked. Men, I am tired of this, and I am

going down there to that cabin, and if these men won't surrender to me, I am going inside if they will let me, and see how they are; and if the cabin is attacked while I am in there you will have to kill me before you get the Marlows."

"Good for you, Marion Lasater!" shouted Bill Gilmore, another brawny and honest frontiersman, "I'll go with you."

The two men then walked toward the cabin with their hands extended in token of their peace mission. Lasater asked George Marlow if he would surrender to him. George repeated his answer to Collier.

"Then can I come in?" asked Lasater.

"Let him come in," said the mother, "he is an honest man."

Lasater and Gilmore entered the cabin and remained there. After they had cast their lot with the Marlows, the sheriff of Jack county arrived with a posse. He consulted briefly with Collier. Everybody was excited and making suggestions. The favorite plans were to open fire on the frail structure, the walls of which were of thin weatherboarding, and keep it up till everybody inside was dead; or to load a wagon with hay, run it up against the cabin, set fire to it, smoke the inmates out and shoot them down as they emerged from shelter.

Sheriff Moore disapproved of both of these barbarous suggestions, and a Young county man named James Denty, who had become disgusted with the Collier crowd of conspirators, joined him. When the two had passed beyond earshot of the mob, Denty said to the Jack county sheriff:

"You don't seem to understand the affair. Let me tell you how it stands."

"Go ahead," was the laconic reply.

Denty then explained the trouble from the beginning to the end, showing up the conspiracy to destroy the Marlows. Without a word Sheriff Moore walked back to where the crowd was.

"Jack county men, mount your horses. If these wronged men would surrender to us we would protect them. Since

they refuse to do, so we have no business here."

Collier appealed to him to stay and help him take the desperate Marlows, intimating to the sheriff of Jack county that his motives for leaving might be misconstrued.

"Tom Collier," said Moore as he laid his hand on his six-shooter, "No man will say I am a coward." No man did, for the sheriff of Jack county had proved his courage on the battle fields of the civil war and in single combat with desperadoes afterward. Collier and his gang were afraid to attack the cabin alone, so contented themselves with camping around it at a safe distance until Captain Morton arrived on Tuesday and removed the prisoners to Dallas.

The Marlows had sent the hack back to Graham in two or three hours after getting home, and asked for the bodies of their dead brothers. This was granted, and about 1 o'clock in the afternoon of the same day Johnny Gilmore brought the bodies of Alfred and Llewellyn home to the sad-hearted ones, prepared for burial. Their graves had been dug in the Graham cemetery. Three more desperate men than Clift, George and Charles were, when the bodies were brought in, would be hard to find, and it wouldn't have been well for one of the mob to have come within their reach.

Alfred was shot fifteen times. Ellie was so shot to pieces that it was necessary to bind strips of cloth about him till he could be dressed for the grave. It was certainly a heartrending sight to look upon—the sorrowing wife and two little children of Alfred, and the poor old mother frantically kissing and talking to the two still, cold forms of her children, looking so peaceful in death, no trace being left on the regular features of the desperate struggle of the night before, for life and liberty, that the other two had gained at such a cost. Later in the afternoon Alfred and Ellie, by George's and the mother's request, were buried at Finis, Jack county, Texas. Quite a number of Jack and Young county men who were at last getting their eyes open to the wrongs of the Marlows, volunteered their assistance, all seeming eager to do as much as possible for them.

Shortly after Lasater went into the cabin Dr. Price, who had been sent for by the mother, came in. He made a hasty pretense of dressing George's hand, then after examining Charley's wounds, told him he could do nothing without putting him under the influence of an anæsthetic.

"What's that?" feebly inquired Charles.

"Why, put you to sleep," replied the doctor.

"But I don't want to go to sleep" protested Charley, not knowing what moment the cabin would be stormed. "Charley," said George cocking his six-shooter, "Let him put you to sleep and if he don't wake you up when I think he ought to, I'll kill him like a dog." The good Doctor snatched up his pill bags and very uncereimoniously took his departure.

CHAPTER XV.

PRISONERS AGAIN—BOONE MURDERED.

On Tuesday morning, in answer to a telegram sent the Sunday before to U. S. Marshal Cabell, stating that they would never surrender to anyone but he or Morton, Morton with his guard arrived. A mattress was placed in the hack they had brought for them, and the brave and self-sacrificing Clift, at his own request, was placed in first in such a position as to hold up Charley, it being impossible for him to breath only in a sitting position; so the wounded and suffering Clift held him in his arms till they reached the railroad the next day at about 11 o'clock.

After leaving the house a few yards they were met by Collier and his crowd, by appointment, in order to return the guns they had carried away from the battle field. It was prophesied by all that witnessed their departure that Charles would die of his wounds before reaching Dallas.

When about one mile from the Denson farm a man overtook them and asked where they meant to reach the railroad.

"Weatherford," said Morton, and on getting an answer the man returned as he had come, in a lope.

Suspecting Collier of laying a plot for another attack, Morton left the Weatherford road a few miles farther on, taking a road leading to Tala Pinto, and reached this place Tuesday night. Morton, guards and prisoners all sleeping in the county jail. None but Morton and the guards were allowed near them. On Wednesday, a little before noon, they reached Gordon, where they were to take a train for Dallas, and on this day they traveled fifteen miles in a cold January rain. Their clothing was saturated in blood, and after being rained on for so long they were a more unsightly-looking trio than ever.

On reaching Gordon, they went direct to the station, and as they were expected, quite a crowd had congregated to get a glimpse of them if possible. The sympathies of this town were with the Marlows. One old soldier, the proprietor of a hotel, insisted upon serving them with dinner at his own expense. One man brought a basin of warm water and bathed George's hand, which was bleeding profusely. Another did the same kind office for Clift, while others did all they possibly could for Charley. The crowd was so large that the guard lost sight of them for a time, but they knew they were with friends, so contented themselves with standing off and looking on at a distance.

An hour later when the train came, the enthusiastic crowd raised the three men and carried them in their arms into the coach, where they took particular pains to place each in a comfortable position.

They reached Dallas Wednesday night, and the next morning Doctor Carter dressed up their wounds. How Clift and Charles ever survived such treatment is a miracle. They were wounded on Saturday night, and received no medical attention until the following Thursday. On the trip Charles coughed up a bullet, and a short time after coughed up a second, besides having a shot in the neck, shoulder and right cheek near the nose, which made breathing through that or-

gan difficult, and another shot near the eye. Clift was shot through the thigh and hand, but with good treatment and their strong constitutions, they were soon on the road to recovery.

On the Thursday that Dr. Carter dressed Charles' and George's wounds, Boone came to his death by poison administered by the hands of a man whom the Marlow family had greatly befriended a few years before. Five days later the wives of Charley and George, not having heard of Boone's death, went into Geaham after clothing and other things belonging to Ellie and Alfred. On hearing of their arrival, the noble Marion Lasater sought them out and told them that Boone's slayers would be in before long with his body. The brave women determined to wait and take him home with them if allowed. The murderer drove in town and up to the court house in a sweeping trot, stopped at the court house and took out a large bundle wrapped in blankets. When the wrappings were removed the body of a man was discovered.

"There's Boone Marlow's dead body. We killed him in the Indian Territory, and we've brought him here to get the reward," said the spokesman.

It required a coroner's inquest to decide whether it was Boone's body or not. Finally it was decided that it was and the reward of \$1,500, offered by the conspirators at the time of the killing of Sheriff Wallace, was turned over to the three sneakes—HARBOLT, BEAVERS and DERRICKSON. Their money did them but very little good, as they were indicted immediately in the United States court for the murder of Boone Marlow, and sentenced to long terms of imprisonment.

At about 3 o'clock, the body was turned over to the two lone women, who had to go a distance of about fifteen miles, on a short winter's day and a good part of the journey would be necessarily after dark. Of all the crowd not one offered to accompany them and assist in the burial of their brother-in-law. When one half mile or more from Graham, KNOX CRISWELL, whose heart was more tender and who had more

courage than the rest of the crowd, overtook them. He dismounted, tied his horse behind their back and drove over the long and lonely road Boone had traveled in life. When about three miles farther on a young fellow, who lived with Knox Criswell, overtook them and was sent ahead to communicate the sad tidings to the poor old mother. This young man had the hardest task of all before him. He arrived at the house where the family lived, but found no one at home, so he went to a German's house living near and found them there. The mother and Alfred's wife, not expecting Emma and Lillian back until the next day, were here with the intention of spending the night, little expecting to return so soon to find a third son lying still and cold in the room she had so lately left, and where two of his brothers had lain a week before, robbed of life by the hands of men. If it had been God's work how much easier it could have been borne.

Upon hearing his name, the mother's thoughts instantly flew to George and Charles, thinking Boone far enough away to be out of danger by this time. She rushed to the door saying:

"Oh, tell me quick, have they killed my boys?"

"They have found Boone," answered the young man evasively.

"What did you say? Found Boone? He is dead then for he would never allow them to take him alive." Then gazing wonderfully and dry-eyed at him, she said:

"Where is my baby boy, can you tell? I must go to him, and bring him home and lay him beside my other darlings. Do you know where he is?"

"I think," he said pityingly: "He is at your house by this time." Then gently taking the half unconscious old lady by the arm, he lead her in the direction of the house. When a little way on the road, they met Emma coming in the hack to meet them. The weather was so very cold that although he had been dead five days, and hauled very nearly 100 miles in a jolting mail hack, the body was as lifelike as though life had just become extinct.

Lillian had, before the mother came, with the assistance of Mr. Criswell, procured warm water and sponged off the poor hands and face, and brushed the soft, wavy hair from the marble brow, where two cruel bullet holes were visible.

When the poor old mother reached the side of the dead boy, she fell across the still, cold form exclaiming:

"My darling boy, you have come back to me at last!" then catching sight of the wounds in his forehead, cried frantically:

"Oh! why did they disfigure your marble brow with those ugly holes, who did it my boy? Tell your old mother; whisper in her ear, (laying her ear to the icy lips), my darling, she can hear the tiniest whisper from her baby boy's lips! can't you hear me, my darling? How did the cowards do it? (pressing the form of the boy to her bosom.) Oh, my boy, I shall never know the truth, I feel that I shall never, never know how they killed my child! If there is a God why will he allow such outrages?"

Here the two noble daughters gently forced her from the still form lying so calm and peaceful, and so utterly unconscious of the heart-broken mother and the scalding tears that fell upon him.

After awhile, becoming more quiet, the poor old lady took a position near the corpse of her son, and no persuasion could induce her to leave it till the next morning, when the two men before mentioned, with Jim and Bill Gilmore, did all that could be done for poor Boone Marlow.

They buried him beside Alfred and Ellie, who were buried in the one grave, and before leaving this place, the mother and daughters had the spot enclosed by a stone wall, a single headstone marking the place, containing their names, ages, time and cause of death.

When the March term of court came on, the Marlow brothers, with Clift, having so far recovered as to be able to travel, were placed under a heavy guard for protection and returned to Graham, where Clift, who had been confined in the Graham jail for the past two years to answer to

the charge of horse stealing, was acquitted without a trial.

The Marlows were placed on trial on the original indictment, charged with stealing horses from Bar-sin-da-Bar, the Caddo Indian. Since the August before, Ed Johnson had made every possible effort to secure witnesses to suit his own interests for this occasion, but hopelessly failed, and as there was no evidence against them, they were acquitted. The fact was commented on by the judge in his charge to the jury in the trial of the conspirators that no claim was ever set up that any of the horses or mules which George Marlow brought into Young county were stolen property; and further, that before their arrest by Johnson and Sam Criswell, none of the Marlows had ever been charged with crime, arrested or confined in jail.

The conspirators and instigators of the mob were still in possession of the legal machinery of the county, and they used it ingeniously to screen themselves from the consequences of their criminal acts. They procured the indictments of each other in the state court for the murder of the Marlow boys. Their intentions were to go through the forms of trials and secure acquittals, and "Bee" Williams was actually tried and acquitted on this trumped-up indictment.

After the arrest of Logan and others of the mob an indictment was issued against Charley Marlow for the murder of Sheriff Wallace.

After being acquitted the three men, Charley, George and Clift, were released under \$250 bond each, to appear at the next sitting of the United States court as witnesses against the mob.

George returned for the women and children. And they left Dallas soon after for Gainesville, Texas, where they worked at anything they they could get to do when their health would admit of it.

Charley's wounds had left him in such a weakened condition that at times he was hardly able to walk. George had the use of only the left hand, and Clift, who was still with

them, was quite lame. While at this place, on August 16th, Charley received a letter from Graham which read as follows:

CHAS. MARLOW:

The Grand jury have found a bill against you for the killing of Sheriff Wallace.

A FRIEND.

This was done to frighten him from appearing as a witness at the trial in the United States court. The day he received this note Charley, accompanied by his wife, Alfred and Ellie, the two little namesakes of the murdered brothers, who were but one month old, his mother and Clift, started for Colorado overland.

The bold stand taken by Marion Lasater against Collier and his gang at the Marlow cabin, on the day after the battle at Dry creek, had a pronounced effect upon public opinion.

The sober thinking, conservative element of the county applauded his action, and even some who took part in either one or the other of the mobs became convinced that they had been misled, and turned against the conspirators.

The question naturally entered politics, and the people divided, regardless of party affiliations in national and state affairs, as they approved or condemned the acts of the conspirators and of the mobs instigated by them. Two county tickets were put in the field known respectively as the Mob and Anti-Mob tickets. On the first were Collier, Eugene Logan, "Bee" Williams and Verna Wilkerson, all of whom had taken part in the mob at the jail and the battle of Dry Creek. The Anti-Mob ticket was headed by Marion Lasater.

The campaign was one of long, intense and prolonged excitement. On the day before the election Collier, Logan, Williams and Wilkerson, of the Mob ticket, were arrested on indictments found by the United States grand jury for conspiracy and murder, which created a tremendous sensation, Lasater and the entire Anti-Mob ticket were elected by a round majority. Then followed the arrests of Attorney Martin, Robt. Holman, attorney; Sam Waggoner, constable; Ed Johnson, deputy U. S. marshal; John Lewis, jailer; Marion Wallace, deputy sheriff; Clint Rutherford, stock-

owners; L. T. Breeks, land owner; W. C. Holli, Dink Allan, W. R. Benedict, Jack Wilkins and Dick Cook—in fact everybody who could be shown to be a conspirator or be identified as a participant in either mob was indicted and arrested.

Just here it may be well to pause and note the fate of some of these conspirators and mob participants.

Robt. Hill, the son of a wealthy gentleman, came to his death by a blow from Charley, while trying to enter the cell on the night of the mob at the jail. Sam Criswell, deputy U. S. marshal; Bruce Wheeler, a rich young cattleman, and Frank Harrison, the son of a well-to-do farmer, were left dead on the battle field at Dry Creek. Tom Collier, sheriff; died in the Fort Worth jail, of anxiety and close confinement. "Bee" Williams met with the same fate. His father was the county judge of Young county, and had urged his son to help lynch the Marlows, saying that if the young men had not courage enough to do it the old ones had fire enough left in their veins to go to the front. Ed Johnson's remaining hand had to be amputated on account of a wound received at Dry creek, and now he is perfectly helpless. Eugene Logan, a deputy sheriff; Sam Waggoner and Marion Wallace, constables; are now under sentence of long terms in the penitentiary.

At the time when Boone Marlow's body was first exposed to view it was noticed by physicians that the wounds did not look as do gunshot wounds inflicted on a live body, and an investigation was afterwards set on foot by the United States authorities, and testimony was obtained that indicates that Boone Marlow was murdered under peculiarly horrible circumstances. Boone had a sweetheart in one of the white families of the Indian Territory by the name of Harbolt, whom the Marlows had greatly befriended at one time, so when Boone escaped after killing Wallace he went to the part of the country where this family lived. He made his presence known to his sweetheart and kept in hiding, only venturing out to see her and get food that she would leave for him. The girl had a reckless and vicious brother, who,

in connection with two others, thinking to better their position in life, trailed Boone to this place. Then the three villains put their heads together to think up a way of capturing him. They were afraid to attack him openly, so agreed on the cowardly method of poison. The brutal and ungrateful brother mixed this with the food that he knew his sister would soon convey to her lover, and Boone, unsuspectingly, ate of this food and died. The wretches then shot the dead body so as to make it appear that Boone had been killed in a fair fight, as they claimed, at Graham.

CHAPTER XVI.

ARREST AND TRIAL OF THE CONSPIRATORS.

ON leaving Gainesville Charley crossed the Red River at Brown's Ferry, north of Gainsville, crossed the Indian Territory and entered Kansas at Kiowa, took a westerly course here and entered Colorado at Coolidge, and two days later they reached La Junta, where Ellie, one of the twins, became quite ill of pneumonia. Three days later the little one died at this place. Charles was making for the mountains of Colorado, where he thought he would have peace at last.

George left Gainesville, Texas, on the 12th of the following October for Colorado, by rail. He knew Charley was somewhere on the road, but just where he would enter the mountains was a difficult matter to tell, so on reaching Gunnison, Colo., he left his wife to look for him at this point, while he came on to Dallas, in the same state.

Between La Junta and Gunnison Charley and Cliff were compelled to work three weeks at a saw mill for money to continue their journey on. Charley chose the route by

Gunnison and came across George's wife. She and Clift he sent by rail to Dallas, with directions for George to meet him as soon as possible. Charles had been traveling for the last two hundred miles through snow that ranged from two to three feet in depth, with heavily loaded wagon and only two small mules to drag them. George met him in Blue canon, and the second day after leaving there they stuck fast in the deep snow, but finally reached Dallas four days later.

They remained there, the three men working in a saw mill the rest of the winter.

The following spring George and Charles took up a ranch about two miles further up the mountains from where Ridgway now is, and while at this ranch they got work on a ditch that was being cut down the mountain side to the town of Ridgway, a distance of eight miles, for the purpose of conducting one of the icy mountain streams to the new town. They also had a contract to care for a herd of cattle belonging to one Arthur Hyde. In this way they managed to get along all right.

The next July Captain George A. Knight, United States Marshal, inserted an advertisement in the Dallas (Texas) News and the Denver Times to the effect that they were wanted as witnesses in Texas, and that \$500 reward was offered for them, or \$250 for any news concerning them.

Sheriff Shores, of Gunnison, knowing of their whereabouts, visited them at their ranch, near Ridgway, and informed them of the matter, but they refused to surrender to him or lay down their arms on any agreement whatever. They remained talking through the whole of the night, the boys explaining their situation to him, and stating how, while prisoners in Texas, they had been treated, and how, afterwards, when it was so necessary, they could get no permission to carry arms for protection.

After hearing a true account of their troubles for the first time he felt very indignant at his brother officers' craven conduct and perfectly agreed with the boys in the stand they had taken. The next morning they agreed to

accompany him to Gunnison, and if Captain Knight would come to them in person, and any kind of an understanding could be arrived at to the satisfaction of both parties, they would return to Texas as witnesses against the mob, but if no agreement could be got at, Shores agreed to bear all expenses of the trip.

They reached Gunnison on the 25th, and in answer to a telegram Captain Knight arrived on the 28th. An understanding was speedily arrived at, which was so generous in every respect that the Marlows determined once more to beard the enemy in their den.

Captain Knight, fearing trouble when it was learned that the Marlows had returned to Texas, went alone by way of the Fort Worth and the Denver & Rio Grande roads, the Marlows going around by the way of Kansas City. After letting people know that he had returned alone, Captain Knight boarded a train going in the direction he expected them to come, and met them about forty miles from Dallas. He returned with them to Dallas, where preparations for the sensational trial that took place in the following October were being made.

October found them in Texas again. The trial of the mob leaders and conspirators was an eventful one. It was held at Graham in the United States court of the northern district of Texas, sixty miles from a railroad, and lasted thirty days. Judge A. P. McCormick presided, and people flocked in from all the surrounding counties, some coming a hundred miles by wagon or on horse back. Whole families came in covered wagons bringing food with them and camping out at night. Authority was given by the president for the swearing in of all the special deputy marshals required to prevent a rescue of the prisoners, and to protect the chief witnesses, the two surviving Marlows, from attack. Everybody entering the court house was searched for deadly weapons, and an ante-room next to the door was filled with six-shooters, bowie knives and winchester rifles.

The lawyers on each side were among the leading mem-

bers of the Texas bar, the government being represented by Eugene Marshall, the United States attorney for the district. He drew the indictments which filled 175 closely type-written pages and required a whole day to be read to the jury. William L. Crawford, of Dallas, was special counsel to assist in the prosecution.

The accused men were ably defended, having ample means at their command, every resource of the law was exhausted in their behalf by their counsel, Jerome Kerby, of Dallas, and R. H. Arnold and Judge Delancy of the supreme bench of Texas.

Following are a few extracts from the evidence of some of the most important witnesses:

Mrs. R. C. Lauderdale, the mother-in-law of Sam Criswell, deposed as follows: "I kept a boarding house at Belknap; the house is two stories high and the Masons hold their meetings in the upper story. Between the time of the death of Sheriff Wallace on December 24th, 1888, and the time I heard of the assault on the Graham jail, "Bee" Williams, Sam Criswell, Wm. Benedict and Eugene Logan were at my house; they were talking about the Marlows killing Wallace; Criswell said he thought they ought to be killed—men, women, children and all; that the old lady had raised them all to be murderers and horse-thieves; Logan said: 'Boys, I think you have got them down meaner than they are. I think you ought to give them a trial; I admit they are bad men, but I would fight for the women and children.' "Bee" Williams said they had killed our sheriff, one of the best men in the country, and that they ought to be hung. There was something said about breaking into the jail, but I don't know who said it; I believe it was Benedict; I think Benedict said they ought to be hung or killed right off. He said if they ever got loose in Graham they would burn the town; Logan argued all the time that they ought to have a trial; Logan told me that he heard the Marlows when they were cutting off their brothers' feet; that one of them was not quite dead, and he said he heard him moaning when they

cut off his feet; he said when he first heard the firing he was up the hill in the lane, beyond where the fight was; heard loud talking, turned and rode back."

Mrs. Dixie Criswell, widow of Sam Criswell, being sworn deposed: "I have resided in Belknap seven years. My husband was deputy marshal; I do not remember when Sheriff Wallace was shot; he was buried on Christmas day; I think Mr. Carpenter first informed me of the attack on the jail January 17th; between the burial of Wallace and the time the mob occurred on January 17th, my husband, Eugene Logan, Williams and Benedict were at my mother's house; I saw them there; mother, myself and the gentlemen named were present; it was seven or nine o'clock at night; they were talking about Wallace being killed and the Marlows; I think something was said about a mob; Williams said he thought they ought to be mobbed; Williams said he knew that it was the Marlows who killed Wallace, and that they ought to be punished for it, and that he would tie the rope to hang them; Benedict said he thought they were mighty bad men; Criswell said they were awful bad men; I do not know whether they had any allusion to their character as fighting men or not; I do not remember all Logan said; he was talking for the Marlow's though, and said they ought to give them a fair showing, and let the law take its course; Criswell said they were awful mean men and would kill him, (Criswell), if they ever got a chance; Bee Williams said the Marlows ought to be punished, that they ought to be mobbed, that Sheriff Wallace had been killed, and he knew it was the Marlows that killed him and that he would tie the rope to hang any of them; I had a conversation with Logan four or five days after the fight at Dry Creek. He told me it was either Alph or Ellie Marlow who killed Criswell; he said the Marlows ought to have been tied in the hack, and that the fight at Dry Creek was a bad job. He said if Johnson had tied the prisoners in the hack, nobody would have been hurt except the Marlows."

O. G. Denson being sworn deposed: "In 1888 and 1889

I lived in Young county, fifteen miles from Graham, on what is known as the Denson farm; I knew the Marlow brothers; there were five of them. Two of them, Charley and Alfred lived on my place. I remember the time Marrion Wallace was shot at the house where the Marlows lived; I was in my house when I heard the noise; I was on their bond; I saw Frank Herron in the afternoon who was also on their bond; He asked me if I was going to give them up; I said that I would not give them up till I saw proper cause. I had horses for collateral security; I suppose the horses belonged to them as no one ever claimed them; I heard three shots at the Marlows' house when Wallace was wounded and went down with Alfred Marlow. We found Charley Ellie and Boone Marlow, Sheriff Wallace and Tom Collier there. Just as I walked up, Tom Collier came up from the south of the house and Boone said to him, (pointing to Wallace), 'and you are the cause of that.' Boone said he would not have shot Wallace for the world. Collier made no reply. We moved Wallace into the house; I saw evidence of a wound on Collier. His eye was a little bloodshot, the side of his face a little scratched and the rim of his hat cut. I asked him who did it and he said 'Boone Marlow.' Boone said to Collier: 'Yes, you just came up and shot into me like a dog, and you are the cause of that, for I thought it was you when I shot.' Wallace told me he had a warrant for Boone, and if I did not believe him to look in his pocket and see. I looked and found it in a bundle of papers tied together; there was no indication of the warrant being out of his pocket. I was arrested for the murder of Marion Wallace; Robt. Holman made the affidavit; I was confined in the Graham jail; the Marlows were in jail at that time. Boone Marlow left the house before anybody else came except myself. Tom Collier was thirty or forty steps from the house when I first saw him; he was going towards the house. I heard Charley Marlow talking to Collier; could not tell exactly what he said, but heard him tell Collier to come back, he should not be hurt. I was at home on the morning after the fight at Dry

Creek. George, Charley and Clift came to my house that morning. Charley was so muddy, and covered with blood, I did not know who he was till he spoke. He had a hole in the breast, another in his neck, another by the side of his nose, and another somewhere on his cheek. He looked ghastly and weak. George was not so bloody and unsightly; he had his hand bound up with an old rag. They went down to the house where their wives and mother were. Their mother is about seventy-five years old, I reckon. I saw her waiting on Wallace when he was wounded. She was talking to him and rubbing his feet and legs. He was complaining about his feet and legs all the time. I do not know whether Collier was drunk or sober the day that Wallace was killed.

Mrs. M. A. Wallace, government witness, being sworn testified: "I am the widow of the late Sheriff Wallace, of Young county. In December 1888 and January 1889, I lived in Graham. My husband was wounded on the 17th of December 1888, and died December 24th 1888. From the 15th to the 20th of January 1889, John Leavels, Tom Collier and Marion Wallace boarded with me. Marion Wallace first told me about the fight at Dry creek, on January 19, 1889. He said a mob had met them out there. I asked if any one was hurt. He told me Bruce Wheeler, Frank Harmason, Sam Criswell, and two of the Marlows were killed, Eugene Logan and Ed Johnson were wounded. My husband was wounded on Monday. I went to him. Bob Collier started with me, but he had a scarey horse and I got in the buggy with Dr. Price. We reached the Denson farm where my husband was just before sun down. The old lady Marlow was there. My husband was in the Marlows' house

T. A. Martin was the next witness examined direct by Colonel Crawford.

"Where are you from to this State?"

"North Carolina, Weber county."

"Were you ever in Iredell county, North Carolina?"

"Yes, sir."

"Were you ever charged with murder in that county?"

Mr. Crawford, for the government, here objected.—
“That is a question of record.”

Mr. Kearby “I suppose we have a right to identify witness with record.”

The court—“Submit the record to witness.”

The record is handed to witness who, after examination answers: “I am the party named in this record of indictment; I am the party named in the verdict and judgment.”

Mr. Kearby “We offer a certified copy of the bill of indictment presented by the Superior court of Iredell county, N. C., charging witness with the murder of Wm. B. Reeves, the arraignment, the pleadings, the plea of not guilty by the defendant, the impanelment of the jury of twelve men, the charge of the court, and the verdict of the jury.”

Colonel Crawford, reading—“The jury, upon rendering their verdict, say that they find the defendant, Phlete A. Martin, is not guilty of the felony and murder whereof he stands charged but that he is guilty of the felonious slaying in the manner and form as charged in the full bill of indictment.”

After reading the objection of defence is overruled, and the defendants accepted.

Witness continues—“On the 17th of January I filled the office of county attorney of Young county. At that time my office was in the court house, and I slept in a room just over my office. On the night of January 17 Sam Waggoner came to my office to file a complaint before me as county attorney against one Jimmy Vance, charging him with carrying a pistol. I think Jimmy Vance was eighteen years old, judging from his appearance I would consider him rather a youth. I don't remember whether young Vance was arrested or not.”

A. T. Gay testified—“I have one case of state paper against Jimmy Vance. I am the county clerk of Young county and was then. I issued this paper on the day it shows, the 17th day of April.”

"By Colonel Crawford—"When did you issue that *capias*?"

"I did not issue that."

"Who did?"

"My deputy, my son. It is his writing."

"You did not issue that then?"

"No, sir."

"It appears to have been issued by A. T. Gay. Is that your signature?"

"Yes, sir."

"How did you know your son issued that?"

"I know his handwriting."

"Did he have authority to do that?"

"Yes, sir; but he neglected to sign his name as deputy. However, I filled that other complaint."

Mrs. Vance, mother of Jimmy, being sworn testified that she was a widow, Jimmy Vance her son, and that he was eighteen years old. My son left Young county to go west with cattle on the 13th. I knew Tom Collier and Sam Waggoner. If they were ever at my house to arrest my son I never knew it. I never saw Tom Collier or Sam Waggoner anywhere on the night of the 17th. I heard that a warrant was out for my son, and I came to town to see Judge Williams. He said he did not know anything about it, but that he would go and look over the books. He came back after examining the books and said that they did not show that any papers were issued for my son."

[The reader will understand that this warrant for Jimmy Vance was a ruse gotten up by Collier, Martin and Waggoner, for they supposed after a warrant was issued and they had thoroughly circulated the report that they meant to arrest him on the same night—the 17th—they would not be suspected as participants in the mob of the jail of that date, and, to make their scheme more successful, after their attempt to mob the prisoners on the 17th they actually mounted their horses and rode out to the neighborhood where Jimmy Vance's mother lived, but, as the widow testi-

fied, did not go near her house but went to one John Lubman, who being sworn, testified.]

"On the night of January 17, 1889, I was at home. Sam Waggoner and Tom Collier came there that night. They were there at 12 o'clock; I had gone to bed. They said they were looking for Jimmy Vance. When they came they halloed and said that they were cold and wanted to warm. I said, 'come in, boys,' and then we went into the room and I started up the fire—the clock was setting on the table just beyond us—and they remarked that it was midnight.

"I asked them if they did not intend to unsaddle their horses. They said no, that their horses were too warm. Their horses looked as though they had been ridden hard. They staid the rest of the night at my house."

S. D. Burns was the next witness sworn, who testified as follows:

"On the 17th of January I was confined in the Graham jail, charged with stealing a saddle. While in jail I knew the Marlow brothers, Lewis Clift, and Burkhart who were in jail at the same time. I knew Marion Wallace, the sheriff, Marion Wallace, jr., Tom Collier, Jno. Leavels, Eugene Logan, Dick Cook, Verner Wilkerson, and Pink Brooks. The five Marlows were in jail when I was put in, and afterwards they were bailed out. I don't know just how long they were out when they were recommitted. Ellie was the first recommitted. He was put back on the day that Wallace was shot. Ellie came for a doctor, and told me Wallace was shot. John Leavels put him in jail."

Colonel Crawford—"Who was the turnkey at the jail at that time?"

"I don't know, sir; they all turned the key."

"Who was the jailer?"

"John Leavels, most of the time; he was the jailer that day. When he put him in Ellie asked him if he was going to give him anything to sleep on that night. He said:

"You don't need anything; go in there, d——n you.

We will go down and mob the rest of them."

"Ellie made no reply that I know of. He was put in the back cage, and we all ran up to the bars to look at him. That night Charley and Alfred were put in and the next day George was put in. I think Collier put them in. The mob assaulted the jail on January 17th, 1889. On the night the attack was made the guards were down below. In the night somebody came to the door and knocked, and some of the guards went to the door and talked a few minutes, then the doors were thrown open and we heard them walking in. I could not then tell how many there were. Then in a little bit they came up stairs, Mr. Leavels in front. He came up and unlocked the door for them, and said, 'Charley, here is a man who wants to talk to you; come out.' Charley and Alf were shackled together. They walked up to the door, one on each side. There were three men coming into the room, and Charley hit one of them. Another one ran down stairs and got a lariat and tried to rope him in there, but couldn't do anything with that. I can not say who it was that tried to rope Charley, but think it was Bruce Wheeler."

Colonel Crawford—"Who in that crowd up stairs did you know?"

"Logan, Dick Cook, and Pink Brooks."

"Who else?"

"Waggoner."

"Who else?"

"Bee Williams."

"Who else?"

"Bob Holman."

"Who else?"

"Frank Harmason."

"Did you know Bruce Wheeler?"

"Yes, he was there."

"And Verner Wilkerson?"

"He was there, and Marion Wallace was there. Logan had a handkerchief tied over his face, and Wilkerson had on what looked like a night cap. Logan, John Leavels, Marion

Wallace and Dick Cook were the guards. Logan had a gun and told Speers to turn around and threatened to shoot him. Speers said he wanted him to shoot him in the face if he was going to shoot. The muzzle of the gun was sticking through the bars. They went down stairs and came back again. While they were down stairs some one screwed off an old bit of water pipe and gave it to Alf Marlow. I do not know which tied up a gallon jug in a handkerchief. They came back then and called us out, that is, Speers, Clift, Burkhart, myself and a little Yankee; I do not recollect his name. They put us in the other cage. The four Marlows were left in the front cages. When the mob had returned the second time after Charley had struck the man who had started in the cage, I heard Frank Harmason tell Marion Wallace to go in the cage and bring Charley out. Marion Wallace said he would not do it, as they had an old pipe screwed off, and he didn't want to get killed. When Ed Johnson came to the jail the day they took them off the Marlows said: 'Ed you are taking us out to have us mobbed,' and Johnson replied: 'If they do run on to you I will give you arms.'

"I said to him: 'It is mighty easy to talk, Mr. Johnson, but will you do it?' and he again replied that he would."

P. A. Martin was recalled and detailed the attack on the prisoners on January 19th.

"The party left the jail about moonrise with the four Marlows, Clift and Burkhart. Johnson asked me to drive the hack containing the prisoners for the first few miles, saying they would change about in driving that hack. Johnson and several of the guards were in the second hack, and the buggy with Waggoner and Hollis brought up the rear. Just before reaching Dry creek, Johnson halted the company and passed around a bottle, then after crossing the creek, and ascending the hill, parties came out of the bushes on each side of the road and ordered me to throw up my hands and to stop. There were a good many of them and they were all disguised. When they first came up Burkhart threw his

arms around me and begged my protection. He said: 'For God sake Mr. Martin, do not let them kill me.' I tried repeatedly to get out of the hack, but Burkhart held me fast. When the shooting began I saw one man fall who was advancing with a gun. Then a general fusilade took place. By struggling I eventually freed myself from Burkhart and jumped out of the hack. The first man I saw after leaving the hack was Marion Wallace. I went into the pasture. A man on horseback disguised, asked who I was, and when I told him he galloped off. I tied a handkerchief over my face for protection so that the mob would believe I was one of them. I believe the first two I saw were Vernon Wilkerson and Bee Williams. Wilkerson's face was blacked and Williams had a cloth over his face. Williams asked me if I knew who was killed. I told Williams to go to town after a doctor, and he immediately mounted a horse and rode off. I saw Logan, who was badly wounded. Logan told me he was shot all to pieces and thought he was dying. Wilkerson and I walked down to the battle ground and examined the dead bodies. We found five dead men on the battle ground. Two of the Marlows were dead, with their feet cut off. Alf had a pistol lying on his right hand and a Winchester by his side. The pistol was identified as Ed Johnson's. The gun I gave to Robert Holman. When we arrived I first men Mr. Holman back of the pasture. He was on horse back and had a shot gun. He asked me who I was and who all were hurt, and what had become of the prisoners. I told him that Criswell, Harmonson, and Bruce Wheeler and two of the Marlow boys were killed. The other two with Clift and Burkhart, had gone off in one of the hacks. Holman wanted to go on after them and rearrest them. While the fight was going on I heard one of the Marlows call out that his brother was killed. One of them said: 'Come on, we have got plenty of arms and are not afraid.' Vernon Wilkerson told me the night of the fight that he thought he had got two of them, (the Marlows). I did not see Clint Rutherford out there that I know of. When I as-

sisted Logan to lay down he had removed his disguise. I don't think I have been indicted in this case before. I have been indicted in the federal court for the attack on the prisoners on the 19th, and in the state court for murder on the same date. I am under bond now to answer for this indictment."

Kearby "Have you any agreement with the government authorities by which these prosecutions are to be discharged and dismissed?"

"Yes sir that is my understanding."

"In consideration of your testimony in behalf of the government?"

"I do not exactly understand it that way, but that is a consideration in the matter. I understand that the government cannot prosecute me and make a witness of me also. They have promised me I should receive the protection of a witness from prosecution. I was called upon to testify against Williams in the state court at Jacksboro. I did not testify because pending that case against Williams at Jacksboro, the grand jury of Young county indicted me for the same offense, for murder, and I told the court that I did not want to testify in the case because I was indicted for the same offense. Logan told me that the leader of the mob was the biggest and tallest man he every saw, and had a beard like a horse's tail. Leavels said he had a gun which looked big enough for a man to crawl into. Sam Criswell and Marion Wallace told us how they had been tied with ropes and led away to the grave yard. I did not notice any bruises or rope signs on their necks or hands, nor any other evidence of hard treatment. The guards treated the matter as a very light occurrence; they were laughing and talking about it. I saw no evidence of anger in any of the guards."

John Speers deposed as follows:

"On the 19th of January I was in the Graham jail. Burns, Burkhart, Lewis Clift, and the four Marlows were in there with me. I was in jail when Marion Wallace was sheriff, and after his death when Tom Collier was sheriff.

I got acquainted with Eugene Logan about the time I was arrested. I saw Logan every few days. After that he went to guarding the jail. I think he went on guard at the jail just after Wallace was killed or maybe just before. The Marlows broke jail two or three days before the mob of the 17th. When the Marlows were brought back they complained of their feet being sore. Mr. Logan, John Leavels, Wallace, Jr., and Criswell were guards then. After they brought the boys back they chained them two and two. George was chained to Eph and Charley and Alf were chained together. In the evening before the mob came up I had some knives and gave them to Collier, not having any more need of them. He said: 'I will not iron you, Speers, but I will swear to you that those Marlows will catch hell.' He said that I had done nobody any harm in Young county, and he would hate for me to be hurt by a mob, and said, 'you are in no danger.' About the middle of the evening he came back and said the county commissioners had ordered him to iron me and Burkhart, so he chained us. When the mob came to the jail I had been asleep and had just waked up and was lighting my pipe. I heard someone knock at the door below, and someone on the inside asked 'who is there,' and I understood the fellow on the outside to say, 'it's me.' They then opened the door and talked awhile, then we heard them coming in. They stayed down stairs about four minutes and then came up, Leavels in the lead. He unlocked the door. They had three lanterns. He came around and unlocked the cell door and told Charley to come out, that someone wanted to see him. I said, don't go, Charley, that is a mob; don't you see they are disguised? Several of us told him not to go. Charley asked what they wanted, and Leavels said, 'I don't know what they want; come out and see.' They poked their guns in the cracks. I was standing with my back to the cage. Some fellow was cutting down my clothes, another one jabbed me in the side with a gun and as I turned around someone said: 'This is Speers; kill him.' Eugene Logan pointed a gun at me and said, 'I will

kill him.' I did not see Charley strike anyone, but I saw a man fall down and say, 'Frank I am bleeding to death.' Frank Harmason was the man he called Frank. I do not know who the man was that was hit. I recognized Eugene Logan, Clint Rutherford, Verner Wilkerson, Pink Brooks, Marion Wallace, John Leavels, Sam Criswell, and P. A. Martin. We were talking to them and begging them to let us alone; we said: 'My God, men, don't murder us, the most of us have wives and children.' George Marlow tried to reason with them, but they told us to shut our mouths. We heard none of the guard begging the mob to desist. I told Clift to screw off the water pipe. He got it off, and I gave it to Alf Marlow. They took us all out of the north cell the second or third trip up, except the four Marlow boys, and put us in the other cell that the brothers had cut out of a few days before. When the mob had gone down again, Clift crowded out of the hole the Marlows had cut and started down stairs and said he was going down town to let the people know how we were being treated, but before he got to the bottom of the steps he saw the guards coming. He ran back and got into the cell again. The guards had off their disguises this time and were telling us about the the mob putting ropes around their necks and taking them to the grave-yard. I said: 'You haven't had time to go to the grave-yard yet.' Tom Collier came the next morning and asked me if I knew who was in the mob. I told him I did not know. I knew he knew all about the mob, and I was satisfied they would kill me if they thought I knew they were in it themselves. Mr. Adare told me he had heard I had a list of the mob, and told me if I had I had better destroy it; that it was no use for me to throw my life away for the Marlows. I told him that I did not have it; then Robert Holman came to me and asked about it and wanted to know what I would swear to in regard to those cases. He said he would have me pardoned. On the eve of the 19th Ed Johnson came to the jail and said they were going to start at exactly 9 o'clock. Charley Marlow asked him

'Don't you think they will mob us?' Johnson said, 'No, I have a guard.' Charley said, 'If the mob runs on us will you give us guns?' Johnson said, 'yes, I will.' Johnson went down stairs and Charley asked me what I thought of it. I told him it was mob either way and that he would stand a better chance outside than he would in the jail. They examined their irons, and ironed Clift and Burkhart together."

Charley Marlow deposed as follows:

"I was arrested in the Indian Territory by Ed Johnson, charged with stealing horses from the Indians. On reaching Anadarko we found Boone and Ellie under arrest for the same charge. I had never been arrested before, and had never been inside of a court house or jail up to this time; neither had any of my brothers ever been arrested before. We owned thirty-three head of horses and mules. George brought them down when he came, about two weeks after. Alfred's wife, my wife and my mother came with George and wife. After George had been here something over three weeks he was arrested and sent to jail. I was in jail about two months and a half when I gave bond and was released. I have heard Mr. Johnson say that we were charged with stealing some Indian's horses, but they never told me his name, nor did I even see any papers. After we got out of jail I went to work for Mr. Denson, rented a house and went to planting wheat. About 12 o'clock on the 17th of December, 1888, Tom Collier came to the house and peeped in at the window. They all said 'come in and have some dinner.' We had just sat down to the table but had not begun to eat. He left the window and came around to the door, stepped his right foot in and said: 'Boone Marlow I am after you,' and just as he said that, he fired. Boone dodged down by the bed and grabbed a gun and fired through the wall or jam of the door, and fired again almost immediately. Ellie and I jumped up from the table and rushed out. Mr. Wallace lay on the little porch where he had fallen. Collier was running towards a little ravine about fifty yards south of the

house. We did not know before that Wallace was on the place. We spoke to him and he told me to come and hold his head up. I went out and put his head on my lap. Boone called to Collier to come back. He came back, dropped his pistol and asked me not to let Boone kill him. Collier clung to me, and said to Boone: 'Come up and shake hands Boone.' Boone came up to Wallace and said: 'I thought it was Tom Collier I shot at when I shot you.' Mr. Denson got there by that time. Wallace was lying with his head in my lap, and Boone had his gun in his hand. He said to Collier: 'You are the cause of that.' Collier replied: 'I know it, but it is done so say nothing about it.' Boone raised his gun and said: 'Charley, I want to shoot him between the eyes.' Collier clung to me and begged me not to let Boone kill him. I told Boone to put down his gun. Collier had said nothing to Boone about having a warrant for him; nothing was said about any papers before the fight. We put Ellie on a horse and sent him for a doctor. After Boone had gone Collier got on his horse and rode off. When Mr. Denson came Alfred came with him. When Ellie went for the doctor he did not return; he was put in jail. Alfred and I were put in afterward. I think George was put in the next day. The evening that Wallace was shot Tom Collier came back to our place with Frank Herrin, and said, 'Charley, your bondsmen have given you up, and you will have to go back to jail.' A short time before the 17th we escaped jail by sawing out of the back of the jail with a pocket knife. We got to the ground by tying blankets together and to some timbers, and swinging to the ground. On the night of the 17th the guards had ordered us to bed about dark, and all of us had laid down and I had dropped off to sleep. It might have been fifteen minutes or three or four hours when a noise down stairs caused me to wake up. We heard several voices talking and parties hallooing, and in a few minutes they came up stairs. They came to the cell, Mr. Leavels in the lead. A man stepped in and said: 'I will bring him out' (meaning me). I struck this man with my

fist and he fell, and after he had lain there a few minutes he said, 'Frank you will have to take me out, I am bleeding to death.' They pulled him out and all went down stairs. I recognized in the party Robert Hill, the man I had struck, Frank Harmason, whom Hill had called to when down; Logan, Martin, Dick Cook, Pink Brooks, Sam Waggoner, Wm. Benedict, Marion Wallace, and Leavels. Logan had a handkerchief tied over his face. I recognized him by a slit in the knee of his pants, his voice and eyes. Afterwards the guard came up stairs and laughed and talked about how they had scared several of the boys. They asked if we had recognized any of the mob. We were afraid, and denied knowing that they were the same parties. When Johnson came on the 19th to take us away, he said: 'Boys, I will take you to Weatherford to-night.' He said that no one except he and the guards knew of our removal. When we got down stairs there were ten or fifteen men on the ground floor, and when we went outside to the hacks there were twenty-five or thirty more standing around, I could not tell the guards from anyone else. Myself and the other five prisoners and the driver climbed into one hack and started. We did not know then who was driving, but afterwards learned that Martin was our driver. Johnson drove up pretty fast and halloed to Martin to hold up. We stopped, and Johnson said, 'Maybe the boys would like something to drink.' He got out and handed the bottle to us. We all took a little in our mouths and spat it out. While we stood there I said, 'boys, we will be mobbed in fifteen minutes.' George said, 'Ed, you will stay with us?' and he said, 'yes, and die with you.' We said, 'you will arm us if it comes to so bad as that?' He said, 'yes, I will.' I said, 'that mob is lying in some thicket close to us.' We started and had gone about 200 yards when the mob rushed out of the thicket. They halloed, 'hold up.' We jumped out of the hack and went to the guard hack. When we reached them they were handing their guns and six-shooters to the mob. I got hold of Ed Johnson's six-shooter, Alfred got hold of a gun one of

the mob had. I threw the six-shooter down on him. He said, 'Don't shoot, I am a guard,' I said, 'turn it loose then;' and he turned it loose. We then saw George and Ellie scuffling in the road. They had hold of a man trying to take his arms. We next shot into the mob facing us. The mob had then fired twenty-five or thirty shots. No bullets came close to us. I don't think anyone was hit till the second volley began. They were firing all around me. My two brothers were killed and two or three others. The guard made no attempt to assist us. I saw a flash at the buggy, and then I fell, and left only George standing. When he saw me fall, he said, 'come again, you cowardly dogs, we have plenty of arms and no one is hurt.' After getting loose from our brothers George started to the hack as a man was coming from the south side to us. George hallooed, 'halt.' I don't know whether they began firing before or after he hallooed. I saw a man fall. At this time I exchanged several shots with a tall man wearing a slicker, and at the third or fourth shot he dropped his gun and sank down, and crawled away into the edge of some brush, and I saw him no more. George got this man's gun. I think this was Logan. They all had on old looking clothes. One man that fell by the hands of my brother had a red handkerchief tied over his face. When the mob first came to the hack P. A. Martin yelled: 'Here they are, come and take all six of them.' After the fight was over and we had cut off our brothers' ankles, we got into the hack and drove off to the Denson farm. Clift and Burkhart took no part in the fight. Clift tried to get a gun that the man who wore the slicker had dropped. When he was pulling Burkhart to get there, he was shot in the thigh and Burkhart dragged him to the hack the prisoners had come in. Burkhart crawled under the hack and stayed there till we got ready to drive off. He and Clift were shackled together. Burkhart shook like he was alarmed. I asked him if he could use a gun; he said his arms were not hurt. I thought maybe he was shot through the legs, but he seemed not. Burkhart

drove the hack. We went by Finis and wanted to stop with a man there, but he would not let us. We inquired the road to Denson's several times. At Finis we got Clift loose from Burkhart, and Burkhart left us as soon as he got loose and we have never seen or heard of him since. We went by Mr. Denson's, and told him what had happened. He told us to go home and he would be down soon. He came in about thirty minutes. William Gilmore, Marion Lasater, and Dr. Price came during the day. Our women folks were pretty well acquainted with Lasater. Lasater and Gilmore stayed with us till we were taken away by Morton and his men. We were brought to Graham at the March term of the federal court, and were acquitted of charges against us for which we were arrested by Deputy Marshall Ed Johnson.

George Marlow was next placed on the witness stand and testified the same as Charles.

CHAPTER XVII.

THE RESULT—EXTRACTS AND OPINIONS.

SUCH a long chapter of testimony may tax the reader's patience somewhat, but as this book is a history as well as a romance, it is necessary to give facts as they occurred. There were many more important witnesses on both sides, whose testimony was but a reiteration of that already gone over, and which is for that reason omitted here.

The trial dragged along through the court with weary monotony for days and weeks. Hundreds of citizens from all parts of the State came and went, and all watched the proceedings and awaited the result with keen interest.

Finally the case was given to the jury, with a long and exhaustive charge by Judge A. P. McCormick, from which

the following brief extracts are taken:

"Gentlemen: When a citizen of the United States is committed to the custody of the United States marshal or to a state jail by process issuing from one of the courts of the United States to be held in default of bail to await his trial on a criminal charge within the exclusive jurisdiction of the national courts, such citizen has a right under the constitution and laws of the United States to a speedy and public trial by an impartial jury, and until tried, has the right to be treated with humanity and to be fully protected against all unlawful violence while he is deprived of the ordinary means of defending and protecting himself.

"The undisputed testimony in this case shows that at the times laid in the indictments Charles Marlow, George Marlow, Alf Marlow and Eph Marlow, who were brothers, and citizens of the United States, were, together with Lewis Clift and W. D. Burkhart, held in custody by E. W. Johnson, deputy United States marshal of this district, and by Tom Collier, sheriff of Young county, and ex-officio jailer of Young county; and that on the night of Jan. 17, 1889, a body of men, armed and disguised, entered the jail of Young county when and where said prisoners were being held, and without any pretense of authority threatened and offered violence to said Marlows, and especially attempted to sieze Charles Marlow; and that two days afterward, on the night of January 19, 1889, said deputy United States marshal, acting as such and under the process from the United States court, took actual control of said six prisoners, chained two and two together by irons around one leg of each and an iron chain securely fastened, coupling two of these together; that Lewis Clift was thus chained to W. D. Burkhart and Charley Marlow and George Marlow were each so ironed and chained, the one to Alf Marlow and the other to Eph Marlow.

"That the six prisoners thus ironed and chained were placed in a hack and P. A. Martin was placed in the hack to drive it; that E. W. Johnson with Sam Criswell, Marion

Wallace, and John R. Girand, all well armed, took another hack, and Sam Wagoner and Will Hollis, both armed, took a buggy, and the three vehicles, thus filled and in close order and in the order just given, started after dark toward Weatherford on the regular mail stage road from Graham to Weatherford, and at a point just beyond Dry creek (from Graham) a large number of men armed and disguised, appeared in the highway and, presenting their guns commanded 'hold up.'

"That the Marlow brothers immediately dropped out of the hack they were in and ran to the other hack, procured arms, and began to resist the assailants.

"That many shots were fired; Alf and Eph Marlow were killed and George and Charles Marlow and Lewis Clift severely wounded. All the assailants who were able to flee fled, and George Marlow, Charles Marlow, Lewis Clift and W. D. Burkhart alone remained in sight alive, with the dead bodies of Alf and Eph Marlow and of Sam Criswell, Bruce Wheeler and Frank Harmason.

"That by unjointing an ankle of each of their dead brothers, George and Charles Marlow freed themselves. and gathering sufficient arms and ammunition, and with Clift and Burkhart, resumed seats in the hack they had left and made their way to Finis, a small town in Jack county, where they unshackled Clift and Burkhart, and were Burkhart left them, and then Clift and the two surviving Marlows, all severely wounded, made their way by early morning to the cabin of the Marlows on the Denson farm, where were the mother of the Marlows, the wives of two of them and their little children.

"That in a very short time after the prisoners left the jail word was brought back to Graham of what had occurred at Dry creek and as soon as the particulars of the killed and wounded could be gathered from that field of strife, runners were dispatched by Tom Collier, the sheriff, to different parts of Young county to warn the people that two of the Marlows had escaped alive and to summon the people to be

on the watch that night and as soon as they could and as many as could, to come to Graham to organize for the pursuit of the two surviving Marlows. A deputy sheriff and constable were also dispatched to the sheriff of the neighboring county of Jack to solicit his aid with a posse to pursue and recapture these Marlows.

"As a result of this levy en masse, by noon the next day, the sheriff of Jack county reached a point near the Marlows' cabin with twenty-five or thirty men, where he found Tom Collier, the sheriff of Young county, with at least twice as large a posse gathered from this county, and in position just out of rifle range from the cabin of the Marlows.

"That the Marlows refused to surrender to the state officers there present, but expressed their willingness to surrender to the United States marshal, W. L. Cabell, or to his deputy, Capt. Morton.

"That the sheriff of Jack county as soon as he understood the situation withdrew his men and went back to Jack county.

"That Tom Collier, sheriff of Young county, kept a guard posse near said Marlow cabin until Tuesday morning or Wednesday morning, 22d or 23d of January, when Capt. Morton arrived from Dallas and took charge of the two Marlows and Clift and removed them to Dallas.

"The laws of the United States provide if two or more persons conspire to injure, oppress, threaten or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the constitution or laws of the United States, they are guilty of the offence of conspiracy to injure or intimidate such citizens in the exercise of such rights and shall be punished, and if in the prosecution of any such conspiracy any murder be committed, the offender shall be punished in the United States courts for the same with such punishment as is attached to the offence of murder by the laws of the state in which the offence is committed.

"The rule of law which clothes every person accused of

crime with the presumption of innocence, and imposes upon the state the burden of establishing his guilt beyond a reasonable doubt, is not intended to aid anyone who is in fact guilty of crime to escape, but is a humane provision of law, intended so far as human agencies can, to guard against the danger of any innocent person being unjustly punished.

"The court instructs the jury, as a matter of law, that in considering the case the jury are not to go beyond the evidence to hunt up doubts, nor must they entertain such doubts as are merely chimerical or conjectural. A doubt, to justify any acquittal must be reasonable, and it must arise from a candid and impartial investigation of all the evidence in the case; and unless it is such that, were the same kind of evidence interposed in the graver transactions of life, it would cause a reasonable and prudent man to hesitate and pause, it is insufficient to authorize a verdict of not guilty. If, after considering all the evidence, you can say you have an abiding conviction of the truth of the charge, you are satisfied beyond a reasonable doubt.

"The court further instructs the jury, as a matter of law, that the doubt which the juror is allowed to retain on his mind and under the influence of which he should frame a verdict of not guilty must always be a reasonable one. A doubt produced by undue sensibility in the mind of any juror, in view of the consequence of his verdict, is not a reasonable doubt and a juror is not allowed to create sources or materials of doubt by resorting to trivial and fanciful suppositions and remote conjectures as to possible states of fact differing from that established by the evidence. You are not at liberty to disbelieve as jurors if, from the evidence, you believe as men. Your oath imposes on you no obligation to doubt, where no doubt would exist if no oath had been administered.

"It is entirely immaterial and wholly unnecessary for you to know or find what one or ones of the conspirators fired the fatal shot that killed Alf Marlow and Eph Marlow. Each person shown by the proof beyond a reasonable doubt

to have been connected with said conspiracy is guilty of their murder whether such person was at the Dry creek fight or not."

The jury, after being out a long time, failed to agree, and the prisoners were remanded to jail to await a new trial, bail being refused them, although perfectly able to have given it in almost any amount.

No blame is attached to the jury by the prosecution, as they were twelve men tried and true, but their failing to arrive at a verdict is attributable not to the evidence or lack of evidence, but to the fact that they were afraid for their lives in case they had found the prisoners guilty, as they so richly deserved.

It will be remembered that these men being tried for the serious crimes of conspiracy and murder were all men of high standing in official circles of Texas. They had for years held responsible positions and had naturally acquired influence, financial backing and a host of friends and followers. Therefore, it is not to be wondered at that intimations should reach a jury that should they render an adverse verdict their lives should be the penalty, and neither is it surprising that a jury placed under such trying circumstances, themselves being business men, men of family, and at least human, should think discretion the better part of valor and seek to save themselves from danger and perhaps death by such an easy and plausible loophole as failing to agree.

Days and weeks and months dragged along--dark and gloomy months for the imprisoned wretches. Time and again endeavors were made to get another jury and proceed with another trial, but the same reason which caused the first jury to fail on a verdict deterred others from attempting it.

Thus two years passed, and the following extract from the Dallas News will serve the double purpose of showing the status of affairs at that time and of pointing out a verification of the old adage that "the wages of sin is death:"

"Is it fate?

"Two years ago John Lowell, Verner Wilkeson, Dick Cook, Thomas Collier, Sam Waggoner, John Williams, and Eugene Logan were arrested by the United States authorities for complicity in the Marlow affray near Graham, in Young county, which occurred on January 17, 1889, and since then they have been prisoners.

"They can not get a trial and are not allowed to make bond although they are amply able to make it.

"A short time ago John Williams died in jail at Belknap of a disease contracted in prison; yesterday Thomas Collier died of typhoid fever in the jail at Fort Worth, and now Dick Cook in low with the same malady in the same place.

"The remainder of the party are despondent. They have been in jail so long that they have lost spirit and are inclined to look with dread upon the possibilities of the future, and fear the worst.

Thomas Collier, who died yesterday morning in the hospital ward of the county jail, was thirty-one years of age. At one time he was sheriff of Young county. His brother, Robert Collier, who had been telegraphed at Graham, arrived shortly after Thomas had died, and was affecting in his lamentation of the death of his brother. The remains were taken in charge by an undertaker to be embalmed. This morning they will be shipped to Alabama, where the parents reside.

"John Williams, the other party implicated in the Young county tragedy, who died at Belknap, was not one of the guards at the time of the killing but was at Graham. He was tried in the state court for his share and was acquitted, but was afterwards taken in charge by the Federal authorities, who placed him in the Sherman jail, where he contracted the disease of which he died.

"These prisoners now in the Tarrant county jail were brought here by United States Marshal Knight some eight weeks ago from Dallas, the jail quarters at Dallas being limited.

"The Marlow mob case is one of the most celebrated in the recent history of the State."

Pending the suits against the participants in the mobs, and prior to the time of the last above citation, suits were filed by the Marlows for damages sustained by them in the terrible conflicts they had passed through and hard usage they had been subjected to. These suits were brought against W. L. Cabell and the sureties on his official bond as United States Marshal for the northern district of Texas, and damages were claimed on account of a breach of bond, and appear on the Federal court docket as follows:

"Martha Jane Marlow, mother of the Marlow boys, \$10,000 on account of the murder of her son Lewellen.

"Zeniah Marlow, widow of Aaron, and her children, on account of his murder, \$10,000.

"George Marlow, on account of his wounds, \$10,000.

"Charles Marlow, on account of his wounds, \$10,000.

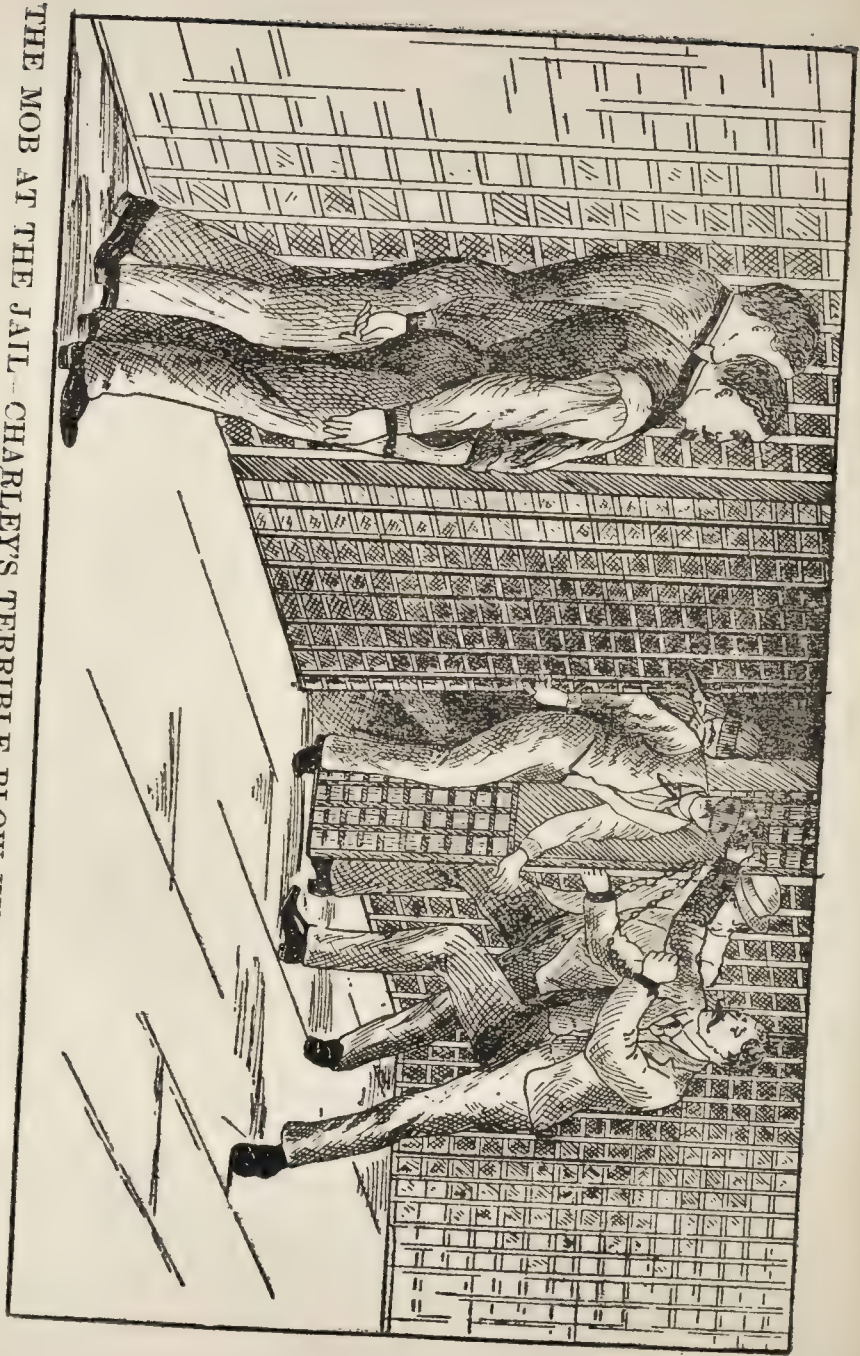
"Lewis Clift, a wounded prisoner, on account of his wounds, \$10,000.

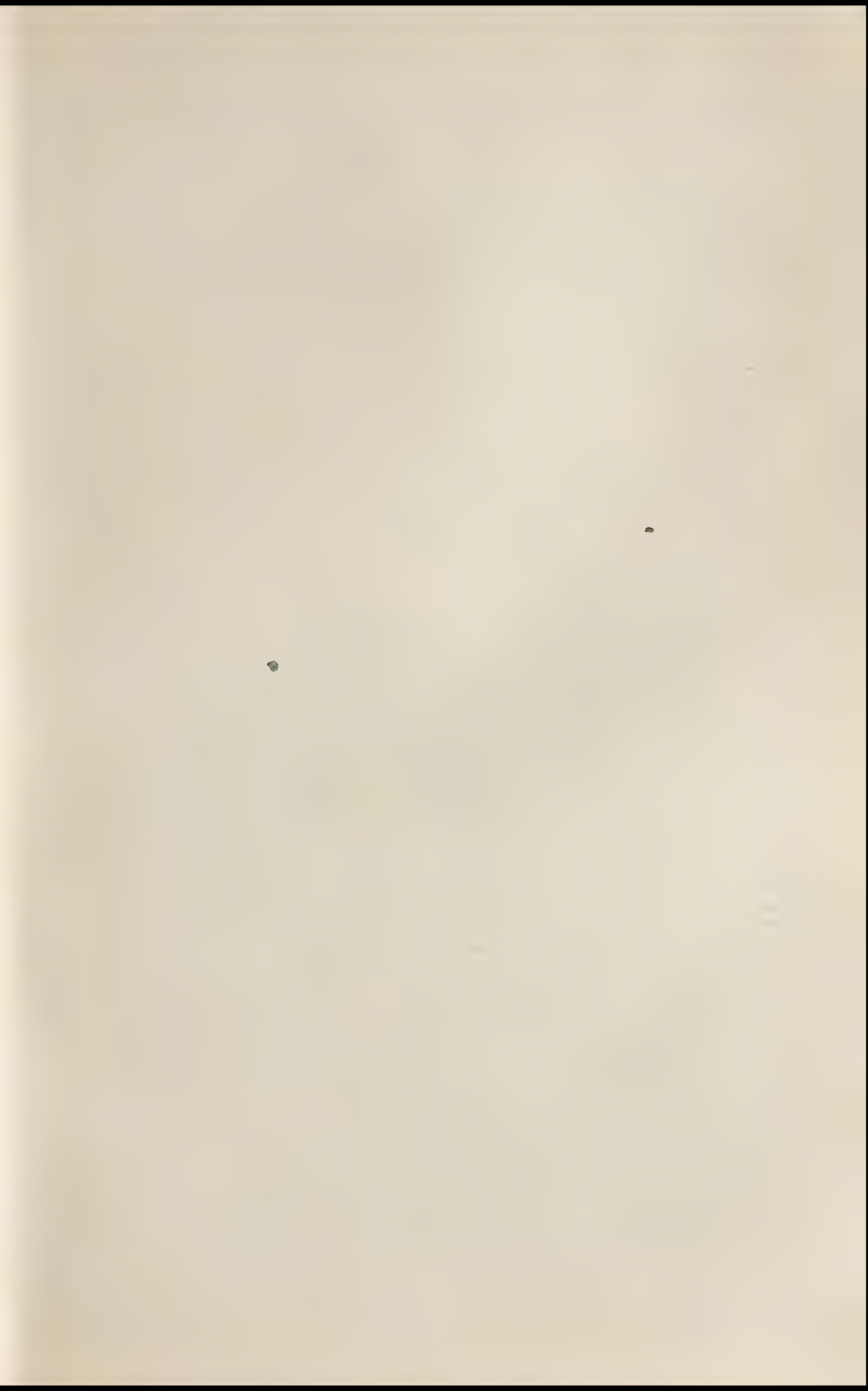
"The same allegation of facts supports each petition."

These suits also dragged wearily along through various terms, public sentiment seeming to figure largely in the ability or disability of the various juries to arrive at a definite conclusion. Finally a compromise verdict was arrived at in favor of the Marlows, awarding them \$6,000, and an appeal was taken to a higher court.

George and Charley were summoned to appear as witnesses against the men being tried for mob and murder, on an average of twice a year, and on each occasion when they made their appearance near the scenes of their troubles and danger, it was under a heavily armed guard furnished by the government. Had they not been so guarded and protected, their lives would have been the forfeit, and their blood would have been spilled to soak the soil already made red by their brothers, for although the sentiment and favor of all the law-abiding element had long since turned in their favor, the same old reckless and lawless spirit which nerved

THE MOB AT THE JAIL—CHARLEY'S TERRIBLE BLOW KILLS A LEADER. (Page 85.)





at first to perpetrate, still served to defend the crimes. Crowds flocked to see them, inspired by that morbid curiosity which attracts public notice to all who have passed through great dangers or unusual vicissitudes.

CHAPTER XVIII.

RETROSPECTIVE - THE MARLOWS' LIVES, THEIR HAPPINESS AND GRIEFS, PAST AND PRESENT.

IN reviewing these pages one can not help but consider how true the saying, "truth is stranger than fiction." It seems incredible that men could pass through such hardships, rough usage, danger, and perils untold, and yet survive to tell the tale; and it seems doubly incredible that such atrocious and heinous crimes and outrages against law, society, and human life could be perpetrated in one of the largest states of the Union, in this enlightened day and date of civilization.

The Marlow family were a race of peace-loving and contented people. The wild, free, western life they led was full of happiness for them, peace and contentment, and free from harm of any kind to their fellow men. They hunted the deer in the forest, and trapped the beaver and mink in the streams. They fished in the sparkling lakes and rivers for the speckled beauties of the deep, and roamed over the boundless prairies after the buffalo and elk. They were sons of the great wild west, born beneath its azure skies, reared in its vigorous and healthful influence and bronzed by its sun and winds. They drank into their lungs the fresh breezes which blew over the prairies and stirred the tall blue joint grasses, and bravely battled with the fierce storms which came from the mountain regions. The snows of winter

which piled up in great drifts in the sloughs and draws, and the icy blasts which roared through the forests and over the plains were but dreams of wild freedom to them, and they loved to resist the elements. The sun-kissed and shower-moistened prairies in summer time were to them an Eden, and not a blade of green bunch grass, tuft of velvety buffalo grass or bright-faced wild flower lifted its head to welcome the smiling warmth of the sun or tears of the gentle showers but what they loved and felt akin to. No bed so soft and downy to them as one spread down beneath the trees along some rippling stream; no roof more sheltering than heaven's own canopy of blue, and no barracks better than the heath. The hooting of the prairie chicken over on the breaking, the call of the quail in the corn field, the babbling brook through the meadow, the lowing of the cattle in the pasture, the sharp crack of the rifle in the forest and the deep bay of the hound in the chase—all this to them was music. The fitful flashes of lightning far over the prairies and the gusts of wind that bent the branches of the trees, telling of the coming storm, the distant rumbling of the thunder and the hurried flight of the rabbit and bird to shelter, to them was poetry. They were of the West a part and parcel, as much as were the rocks and trees.

They cared not for wealth or fame, or glory of any kind, nor yet for money more than enough for their simple needs, which were few. Their food they raised in their fields and herds, hunted in the forests or seined from the streams. Their clothing they made from the soft skins and furs they hunted and trapped. Their horses they lassoed wild upon the prairies, and of cattle they had a plenty. They owed no man a dollar or a grudge, and asked for neither favor or assistance, and only to be treated as one man should treat another.

They belonged to no sect or party, molested no one, went on in the even tenor of their peaceful way, and were God-fearing, law-abiding citizens.

And yet they were hunted down like dogs, wronged, rob-

bed and murdered, and this, too, in the sacred name of law.

There is no freer, more roving nomadic life than that of the cattle trail, and much of their time was thus spent. They rounded their herds of Texas cattle over the prairies, and made long drives to market, camping out along the way, singing and shouting to each other as they roped some refractory steer or ran races over the trackless stretch of country.

The honorable, upright and ever just spirit which was so deep in the nature of the good old Dr. Marlow had been transmitted to and was mirrored in the sons, and no thought of committing crime or doing what was wrong ever entered their minds.

Their education was limited, and of culture they had none, but of brawn and muscle, courage and daring, honesty and western hospitality and generosity they were bountifully supplied.

No man had ever accused them of wrong. No court or jail ever beheld them, and no guilty conscience had ever disturbed the peace and sweetness of their slumbers.

When they moved from one clime to another it was always with the West in view. Texas, the Indian Territory, and the prairie countries seemed to be their natural home, and any pilgrimage they made was never toward the East. Mexico, with its wealth of tropical attractions, its fruits and flowers and wild game was for a brief period their home. California's wild confines also proved a magnet for a time, but caring little for the yellow gold mined there, which enriched, beggared and crazed thousands, they did not tarry long. And now at last they have taken up an abode for the rest of their lives within the shadows of Colorado's lofty mountain peaks, where the deer and elk make a home among the foothills, where the speckled trout leap and play in the noisy streams that dash foaming down the deep canons, where all nature is one grand monument to God's own handiwork, and where untrammelled and unhindered the western man can live a typical western life.

Here they now are, but before taking up their life and adventures in Colorado we must go back again to Texas and finish the thread of discourse from that point, though there is not much more to tell.

On the damage suits brought by the Marlow family \$1,000 was awarded to George for injuries received, which sum he got. To Charley was awarded \$1,950, and the mother appealed her case to a higher court for another trial. This trial, up to the time of publishing this book, April, 1892, is yet to come off, though there is probably no doubt but what, as her claims are just, a goodly sum will be ordered paid to her by the courts for the wanton murder of her sons by that ruthless mob. A few thousand dollars is but a trifle for a life, but lives are cheap in Texas.

At the first trial of the mob conspirators one of them, Clint Weatherford, was acquitted, but all of the others were remanded to prison for second trial. At the second hearing John Lowell was acquitted, as was also Verner Wilkerson and Dick Cook. Thomas Collier died before the trial and Sam Waggoner and Logan each were sentenced to the penitentiary for a term of ten years and received in addition a fine of \$5,000.

Seven others applied for a new trial, upon being found guilty, which trial is now pending in the Federal courts of Texas.

The trials were to have taken place in October of '91, but the trouble in getting a jury, already spoken of here, has prevented them coming to an issue as yet. It is only a question of time, however, until heavy fines, long terms of imprisonment at hard labor in the penitentiary, and perhaps execution, will be the harvest reaped by these men who so fearlessly sowed the seeds of death and evil on Texas' fertile soil.

And in the meantime behind the unyielding iron bars of cheerless jails they have had a long and weary time to ponder over the hardness of the ways of the transgressor, and

let us hope, also, that their fate has and will ever prove a warning to evil-doers of whatsoever nature.

Besides the men incarnated for the crimes, there are perhaps a hundred who were sympathizers, helpers and connected indirectly more or less with those who perpetrated the outrages, and who are morally as guilty as those who were apprehended, and it is to sincerely be hoped that this awful lesson of retribution finally overtaking the wicked has not been lost on them.

To accuse innocent and inoffensive men of the serious charge of theft, men who would not steal a farthing, much less a horse, is of itself a grave offense against the peace and good name of any honest citizen so accused, but to add in fact every other crime known in the criminal calendar, is of itself criminal.

Then still add to this the prosecutions and persecution; the hounding of not only innocent men but their wives, their little children and their aged mother; the brutal and inhuman treatment; the pain and mortification caused by arrest, imprisonment, false accusations, chained and ironed limbs, curses and blows, and we approach yet nearer the terrible enormity of the deeds of this organized mob.

And now still add to all this the spilling of their loyal blood upon the sacred soil of the state which had for years been their loved home; the bleeding and lacerated wounds inflicted upon them; the taking of their lives; the awful heart-breaking grief of those widowed wives, those orphaned children and that dear old mother, and the curtain is nearly ready to fall upon the last act of the horrid drama of their misdeeds.

Should not the guilty, then, receive the punishment prescribed by the just laws of the land, which they so richly deserve? And should not others be deterred from evil ways by the contemplation of the awful consequences? If but one man is saved from the path of sin and crime by the perusal of these pages, then this book will not have been

written in vain, and the moral it contains will have accomplished a glorious mission.

Let any man or community acquainted with the Mar- lows step to the front and say if their characters as portrayed in this book are not as represented. Are they not men and women of sterling worth, of tried and true honesty and integrity, unimpeachable characters, and generous almost to a fault? They are possessed of that inborn spirit of generosity and hospitality which is so general and so natural in the West. Go to them if hungry or in need and they will give you freely—not a tract or a sermon, nor yet advice, but half of all their food or goods.

And still, today, with all their freedom, peace and lasting quiet from turmoil and strife, their lot is sad to contemplate in one view which may be taken of it, and that is this: They are, you must remember, western frontiersmen pure and simple, in all the word implies, and now in their sunset of life their hearts must naturally be sore to contemplate the death and decay of all the scenes so dear to their natures and mode of existence.

From this their mountain home they must sadly contemplate the encroachment of the East and the onward march of the cultured civilization so foreign to the tenets of their inherent faith. The beloved scenes of their youth and vigor are fast becoming stamped out. Think of it yourself, reader.

No one who was not familiar with the vast central region of the continent a quarter of a century ago—a region designated "The Great American Desert," stretching from a few miles beyond the Missouri river to the Rocky Mountains, and then, confidently believed by the majority to be only a race-course for the winds and the arena of the tornado—can by visiting it to-day form any proper conception of the mighty changes which have been wrought during the period specified.

Now, in a palace car surrounded by all the luxuries of modern travel, the tourist is whirled across the once alleged

dreary waste, in as many hours as it then required weary months to accomplish. He sees great cities, and all the bustle and energy of a grand civilization—which perhaps he sought refuge from—has followed him even here, two thousand miles from his eastern home.

Gradually as he rushes along the "iron trail," the woods bordering the Missouri lessen, he catches views of beautiful intervals, a bright little stream foams and flashes in the sunlight as the trees seem to separate, and soon he emerges on the great broad sea of prairie shut in only by the great circle of the heavens.

Dotting this motionless ocean everywhere, like whitened sails, are peaceful little homes—true Argosies ventured by the sturdy and hopeful people who have fought their way to that tranquility which surrounds the beautiful pictures.

However strange it may seem to an uninitiated traveler, the rare landscape he looks upon from his polished car window has its tale of blood and dark despair; for only a little more than two decades ago the allied Cheyenes, Kiowas and Arapahoes waged a brutal and relentless warfare upon the frontier of Kansas and Nebraska, and the occupants of this fair region were inhumanly butchered all along the line of the savages' raids, from the Platt to the Arkansas.

But that has passed away forever—the country is one rapidly developing empire; there is now no longer any frontier; all that is required are granite monuments to mark the dividing line between great states, so wonderful has the change from "Desert" to "Garden" been wrought.

In the almost miraculous metamorphosis—miraculous that it required so few years—great animals that roamed the vast area in countless numbers have nearly become extinct; generations of strange men have vanished, and the Indians themselves, dwindled into insignificance and huddled in reservations, are supported by the bounty of the government.

During the prolonged and bloody wars with the savage races, that marked the era of the early settlement of the

country, a class of auxiliaries to the army were evolved from the relatively few white occupiers of the soil, that now, their services no longer demanded, have passed out of sight; and the limited number who survive are gray-headed men bent with age, relics of a generation that has vanished forever.

These were government scouts, and the bones of hundreds lie in as many unmarked graves, from the Yellowstone river to the Canadian far to the south, for their duties called them everywhere—in sunshine and in storm; in daylight or in darkness; in heat or in cold, they were but to go when ordered—though death was almost certain at times.

Rarely riding more than three together, but oftener single, they were hounded by the Indians, and if for an instant slack or careless in their vigilance, their scalps were the penalty.

Throughout Texas, the Indian Territory and Colorado the Marlow brothers went as deputies and assistants with scouts on many a dangerous mission, and though they are today, the two surviving brothers, Charles and George, deputy sheriffs, it is tame compared with the old-time pioneer days of yore, and represents danger and adventure in name only. They sigh for the days when the wily savages lurked around every water hole, burnt the grass on the trails, and exercised all their wonderful ingenuity to intercept, baffle or to kill, if possible, those carrying dispatches from one remote post to another, between which for more than a hundred miles often, there was nothing but desolate prairie, with perhaps but one running stream, or a single spring in some rocky canon, the whole distance.

Yet for all they are reasonably happy and contented here in Colorado, for it is the West, and always will be. It may not be out of place to note a few of the reasons why they feel at home here and not like exiles in a foreign land.

It is a blessing to live here, in more ways than one, and to the lover of nature's beauties a perfect paradise is spread out to view. There is no wealth of scenery to equal it in all the known world.

Even in mid winter its grandeur passes all imagination and entrances the beholder. The sunlight streaming on the gleaming snow clads the rugged hills and monster overhanging crags in fantastic splendor, that sparkles like ten thousand million crystal jewels. The green pines far up the foothills nod and bend in the chill blasts sweeping o'er the mountain range, and the emerald-colored cascade or mineral falls pause seemingly in mid air between heaven and earth, and turning into ice await the coming of the summer sun before pursuing their perilous journey and awful leap to moisten the jagged cliffs below.

But the summer season is the time to thoroughly enjoy all of the regal beauty of the Centennial state. Imagine, if you can, a trip through these gigantic mountains with rod and gun. Ascending by circuitous route gradually like a spiral stairway to the summit of the range, perhaps beyond the clouds, one traverses deep and wondrous chasms whose mighty walls tower heavenward for thousands of feet; thence around the brinks of awful gorges and steep precipices whose dizzy heights make the heart faint and the brain reel. Note the mountain stream as it gushes out of solid rock far up toward the sky and dashes down some terrific gorge and becomes mere spray before striking the massive rocks beneath. Stand upon some mountain roadway, hewn from out the solid quartzite, and gaze far upward at the distant snow-clad peaks of the rugged giants of nature as they pierce the clouds and pass upward beyond the storm, and then look down where the river roars and rumbles two thousand feet below, and you can perhaps grasp some faint idea of the grandeur and immensity of the surroundings.

Pursue the fleeing deer and elk through the flowery glens of the mesas, trap the bear in its mountain fastness and land the leaping trout on the rocks behind you on the banks of some gurgling mountain brook, and then go down into a valley and enter some thriving, bustling western city, all ablaze with the electric light, and with street cars, water-works, elegant brick buildings and all the modern conven-

iences and improvements. Can all the world produce the equal? Surely not. The sun as it arises from out its bed of molten flame and casts its effulgent splendor over such scenes, at once awes and entrances the beholder, and holds him spellbound to the spot. All the prismatic hues of the rainbow glisten and cintillate and shimmer along the grey boulders, the white peaks, the blood-red rock, the green moss and shrub and tree, and penetrate the shadowed gulch and sparkle on the shining mineral spring that bubbles boiling hot from underneath some frowning cliff, and seem as if some burnished fleck of golden firelight had dropped from out eternal space and been made a captive here. Words are inadequate. There is no language which can describe these things, save that of the artist, the poet, the soul.

Here is the garden of the gods, the mecca of human pilgrimage, and yet withal the reality and necessity of life is provided for, and the rumble of the mills and smelters, and the glad song of the sturdy miner is carried down the gulch and canon by the soft breezes midst the evergreens, to mingle with the lowing of the cattle, the bleating of the sheep and the whirl of the harvester in the broad and fertile valleys. And overlooking all these scenic wonders and grandeur, snugly nestled among the pine-clad foothills, is a neat little cottage—the present and future home of the Marlows.

CHAPTER XIV.

OLD WOUNDS REOPENED—THE COLORADO HOME INVADED.

I N the summer of '91 the peaceful serenity of the Marlows' cozy mountain home was suddenly invaded by officers, who came up from Texas to tear agape the old wounds of their tribulations, to rearrest them and take them back again

as prisoners to the scenes of all their woe.

One bright June day there stepped off the Denver & Rio Grande train upon the depot platform at Ridgway two men. They were large, bronzed, handsome specimens of manhood, wore wide-brimmed hats of the sombrero pattern and were heavily armed with improved Colt's revolvers, which swung in holsters from cartridge belts about their waists. Their dress and manner stamped them for what they were—Texas Rangers.

These were Captain McDonald and A. J. Britton, two of the bravest and most fearless members of the northern division of Texas Rangers under government employ, and they came armed with a requisition from the governor of Texas for the arrest of George and Charley Marlow, charged with complicity in the killing of Sheriff Wallace by their brother, Boone Marlow, in January of 1888.

They knew the Marlows, these men, and were well aware of their dauntless courage. They had known them years ago in Texas and the Indian country, and while they admired their courage and abilities, and knew that should they resist arrest there would have to be a desperate fight and perhaps death to face, they had come determined to take them prisoners, let the consequences be what they may, for they were deputized by the law and the court and had a plain duty to perform.

Word was hurriedly dispatched to Ouray to J. H. Bradley, then sheriff of Ouray county, to come immediately to Ridgway on matters of urgent importance. Sheriff Bradley appeared on the scene a few hours later, and Captain McDonald made known to him the purpose of their errand.

They had warrants for the arrest, besides the requisition from the Texas governor, but under the law it was necessary for the local sheriff to make the arrest and then turn the prisoners over to the Rangers for conveyance and delivery to the Texas authorities. Accordingly Sheriff Bradley, one of the best friends the Marlows have in Colorado, started out from Ridgway, over the foothills and to the broad mesa up-

on which was at that date the ranch home of the Marlows, intent upon bringing them into Ridgway and held a council of war to see what arrangements could be effected regarding this new feature of the case.

There is never a minute, day or night, but what the Marlow boys have close within their reach their trusty Winchesters or revolvers, and their house was so situated, far back on the open mesa, that no one could approach nearer than half a mile without being sighted by the inmates. A Winchester covered Bradley's towering form long before he came within hailing distance, for they, not knowing but what at any time some emissary of the men being held in bondage in Texas might seek to murder them to prevent their appearing as witnesses, were ever on the alert. The rifle was quickly lowered, however, when the sheriff was recognized, and a hearty welcome was tendered him.

Bradley told them what was up, and advised them to go into town with him and have a talk with the Texas Rangers over what was best to be done. This they agreed to, and Charley said:

"Now, Mr. Bradley, we do not propose to be arrested and taken back to Texas by these men, under any circumstances, and if matters cannot be so arranged as to prevent this, and an arrest becomes necessary, we want you to stand aside and let the Texas Rangers make the arrest themselves."

Bradley understood what that meant, and agreed to it, after which the three proceeded toward the town, some four miles and a half distant.

"Do you know Captain McDonald and Britton?" asked the sheriff, on the way.

"Yes," replied George, "we know them well. They are good men, brave and fearless, and hard fellows to down when it comes to a battle."

"Will they be apt to make you trouble if you should resist arrest?"

"Yes, undoubtedly. If they make up their minds to take us and we don't go, there will be a fight to the death,

for they have no doubt concluded to take us, either dead or alive."

"Why are you so strenuously opposed to going back there? As I understand it, neither of you boys had anything to do with the killing of Wallace. It was Boone that fired that shot, wasn't it?"

"Yes, it was Boone."

"And in absolute and positive self-defense?"

"Yes, in self-defense, and also by accident. Boone fired at a man named Collier, not knowing that Wallace was within twenty miles of there, and the bullet went through the door and killed Wallace, who was outside."

"Why not go back and be tried? You would surely be acquitted."

"Yes, if we are ever tried for being in any way connected with the death of Wallace we will be speedily acquitted and exonerated in any court in the land. That is not what we object to in the least, but we will not be taken, just the same, that is, we will never be taken alive."

"Why?"

"Mr. Bradley," spoke up Charley, "if you knew the circumstances of this matter, all the facts behind it, the desperation of the people and their friends against whom we are witnesses, if you had passed through what we have, you would never ask that question. When we go down there as witnesses we are supplied with a strongly armed guard of fifty brave men by the government, therefore we can give our testimony and return in safety. In this case we would have no protection whatever, and we would no sooner reach the borders of Texas than we would be set upon by the same old mob gang which murdered our brothers and shot us all to pieces years ago, and in short we would be killed, and never live to reach the place of trial. This is true, and if we have to be killed we prefer it should take place here at home, where, at least, our bodies will receive decent burial."

"And I don't blame you," warmly ejaculated Sheriff Bradley. "By Jove, if I wasn't an officer I'd help you in the

fight, if it comes to that, and as it is if they want you they may make the arrest themselves and take the consequences. You boys shall never go back there to be mobbed and murdered by any act of mine."

The Rangers had in the meantime gone up on the train twelve miles to Ouray, and were to return on the next train, so when Sheriff Bradley and the Marlows reached Ridgway Captain McDonald and Britton were not in town, and some hours were yet to elapse before their arrival.

The people of Ridgway are of the true western stock, and the western spirit so strongly impregnated in their make-up soon began to make itself manifest. They were the friends of the Marlows, who lived among them and had proved themselves to be good citizens, and as soon as it became noised about the little town that two Texas Rangers were on hand to arrest George and Charley and take them dead or alive, little groups of men began to assemble at different places along the streets, and whispered consultations were numerous. Then a murmur became audible, and muttered threats were heard, and finally it was given out "blood raw," as the mountaineers say, that if Texas Rangers wanted to take the Marlows from Colorado they had better send up 2,000 instead of two men to do it.

Things were looking anything but cheerful for the Texas Rangers when the whistle of the train sounded from up the canon, and the engine came snorting down the mountain grade to the depot. Men were everywhere, and many a hand disappeared toward a back pocket as the two Rangers stepped off on the platform. The baggageman forgot to throw in the trunks, the station agent never thought of carrying out the telegraph orders to the conductor or engineer, and Jack Brown, the best known and best liked conductor in the San Juan country of Colorado, forgot for the first time in twenty years to call out his stenorian "all aboard!"

Every eye was turned alternately toward the advancing forms of the two dashing Texas Rangers and the Marlow

brothers standing by the side of Sheriff Bradley, their backs up against the station and their right hands out of sight.

The Rangers walked briskly up to where the Marlows and Sheriff Bradley stood, and nodding to them extended their hands. It was noticed, however, that it was the left hand which they put forth, while the right disappeared behind them. The Marlow boys also bowed, and took the extended hands of the Rangers in their own left hands. It was a left-handed hand shake all around.

"Well, boys," said Captain McDonald, "we have come to take you back to Texas. We have a warrant for you for complicity in the killing of Sheriff Wallace, and also a requisition from the governor. We do not want any trouble or hard feelings at all, and trust you will go peaceably."

"Captain McDonald," replied Charley, "we will have to telegraph the governor at Denver about this matter before we can be satisfied. That will take but a short time, and after that we will discuss the question of going back with you as prisoners."

"All right, boys, we are perfectly willing to concede anything that is reasonable. Wire your governor as soon as possible, and in the meantime get ready to go."

To this no reply was made, but the party separated, eyeing each other furtively, the Rangers repairing to a hotel and the Marlows into the telegraph office.

Governor Routt was wired at Denver of the matter, and full particulars given him. It was the opinion of legal talent here that the Marlows, being under the jurisdiction of the United States courts as government witnesses and deputized officials, were not while that was the case, amenable to civil courts or authorities, and upon consultation with the state's attorney the governor found this to be true, therefore he telegraphed the governor of Texas to ascertain if the Marlows were under federal charge. The Texas governor wired back that such was the state of affairs, whereupon Governor Routt immediately wired the Marlows and the Texas Rangers at Ridgway that under the existing circumstances

he would have to deny the requisition issued by the Texas governor and now in possession of Captain McDonald, and refuse to allow the Marlow brothers to be arrested by local authorities of Texas or any other state, so long as they were under government protection.

This settled it. The Rangers were forced to return as they had come, alone. They made the best of a bad bargain and took the situation philosophically, shook hands good naturedly all round and bidding Sheriff Bradley good bye and wishing the Marlow boys good luck and prosperity, they boarded the east-bound train and departed for their far away Texas home. On this train the writer of these pages met Capt. McDonald and Mr. Britton and interviewed them relative to the subject in question, and obtained the information herewith given.

CHAPTER XV.

INTERESTING SHORT STORIES AND SKETCHES ABOUT THE MARLOW BROTHERS.

THROUGHOUT the entire length and breath of the great State of Texas, from one end to the other of the borders of the Indian country and all over Missouri, Nebraska, Kansas and Colorado the fame of the Marlow brothers has spread. The adventures of Jesse James and the Younger Brothers pales into insignificance when placed in the balance beside the dangers bravely faced and passed through by these men, and it is therefore not to be wondered at that they have become so widely known.

When any crisis of a dangerous nature arises in any section of the West, if the Marlows are to be found within hundreds of miles they are immediately sought for and their

aid invoked to quell the disturbance or trouble, as it is a well known fact that they will walk into the most blood-curdling dangers as quietly and as unconcerned as though about to go to dinner, or to church.

Accordingly, a few months prior to this writing, when a strike was declared on by the coal miners at Crested Butte, a mining town north of Gunnison, this state, and serious riots resulted, the sheriff of the county (who is none other than the Sheriff Shores who first induced the Marlows to go back to Texas under government protection and appear as witnesses against the mob) being called to put down the uprising, telegraphed to George and Charley to come and assist him.

The rioters were in the main foreigners—Hungarians, Austrians and Italians—and a more desperate gang of cut-throats would have been hard to find. They were fighting among themselves, doing violence to the citizens and terrorizing the entire community. It was feared that the town would be burned and perhaps many lives lost, which was the cause of the sheriff and posse being sent for.

When the special train with Sheriff Shores, his deputies, the Marlows and a posse of a hundred men arrived at Crested Butte from Gunnison it was late at night, dark and stormy, and as the rioters knew of their expected arrival and had armed themselves for a fight, trouble was expected.

The posse started up from the depot straight through town and to the mines, where the strikers had barricaded themselves behind hurriedly thrown up breastworks of large rocks, and prepared to dislodge them from their stronghold and take the leaders prisoners.

A consultation was held as to the best, quickest and safest way to accomplish this, and then the body of men moved on up the hill on a double-quick. When within about fifty yards of the mines tall forms were seen to rise up in the darkness, a loud command was given, a flash of fire leaped out from the guns of the rioters and a shower of leaden bullets poured into the ranks of the approaching sheriff's posse.

Several fell, many were wounded, and the wildest confusion ensued.

The men withdrew to a safe distance and it was then found that no one was seriously hurt, so another charge was made, the stronghold captured amidst a rattling fight, the leading spirits captured and imprisoned and the riot quelled.

The disturbances lasted for nearly two weeks, the particulars being too fresh in the public mind to make it necessary to reiterate them here, but peace was finally restored, the miners returned to work, Sheriff Shores and posse to Gunnison and the Marlows to their home.

One incident which tends to show the generous natures of the Marlows, happened to George and his wife when they were coming overland from Texas to this country. They had camped one evening early, one of their horses being sick and unable to proceed farther on the journey. Pretty soon a man drove up with a six mule team and an empty wagon, and asked to share their camp over night. This was readily granted, the stranger asked to make himself at home, take supper and breakfast with them and share the warmth of their fire. George helped him to unhitch his mules, and entertained him as well as the limited means would permit, and then asked him next morning when he was about to start on if he couldn't let one of the mules take the place of the sick horse for a part of the day's journey, inasmuch as both were bound in the same direction and the stranger had a double team to pull nothing but an empty wagon. This the man promptly refused and went on his way, George never charging him a cent for the accommodations tendered and received. George had to remain in camp for quite a while, because of his ailing animal, and during the afternoon who should turn up again but the stranger. He had gone into camp farther on, two of his mules had strayed away and could not be found, and he had come back to procure the assistance of George to hunt them up.

George without a murmur mounted his well horse and put in half the night helping the stranger find his mules, and when they were found again invited him to supper and breakfast and to share the camp. This the man did, and then departed in the morning, leaving George still unable to go ahead, and never once offering assistance. George bid him good luck, and as he departed quietly said: "Stranger when ever you see a man in a tight place, always help him out."

The reader will probably remember "Shoat," the little horse referred to in the fore part of the book, who was so full of pranks and almost human intelligence. Well, Shoat is still an honored member of the family, and will be as long as he lives. He has shared their ups and downs, their joys and troubles all through the Indian Territory and Texas, and now enjoys a good, warm stable here at their mountain home in Colorado, with plenty of hay and oats and nothing to do but to enjoy himself.

Shoat is getting well along in years now, but he is as full of his tricks and fun as ever, and often draws a crowd around him when George has him out for exercise. One day while George was showing off his pranks, whispering for him to lie down and be sick, get up and drive the crowd away, and a hundred other things of the like, a tall stranger from over the range ventured the assertion that he could ride him. George smiled knowingly, whispered in Shoat's ear and gave the tall man permission to proceed. Shoat puckered his mouth up into a sort of horse smile and then apparently went fast to sleep standing up. The stranger gathered the bridle reins and sprang with a bound into the saddle. Then he bounded out again in about a second, lit on his head, spun around like a top a few times and then slid down the road on his shoulder blades. He was game, though, and came up smiling and climbed into the saddle again.



Gentle reader, did you ever stand in the gloaming of a summer eve, when the sinking sun cast its blood-red effulgent glory over the distant mountain peaks, and watch an Indian pony enjoy a joke? Shoat's whole life seemed to enter into the spirit of the jest, regardless of expense, and he reached and patted that tall stranger on the back so heartily that he discovered over a hundred new stars and comets then and there. Never in all his life had he received such an enthusiastic demonstration of affection, nor such a malicious, stinging, startling "hist." It rang out on the still evening air like the reverberation of a dying Denver boom and died away in the distance like the whistle of the Denver &

Rio Grande coming around a gulch curve. The stranger from over the range lost two of his ribs, his coat tails were very badly frayed out where they had been cracked in the mountain breeze, and the country was visited by a gentle shower of blood. His remarks will not do to print, but he limped home over the beautiful moon-kissed hills and valleys that night in anything but a virtuous frame of mind, while Shoat ate his double measure of oats with a keen relish and as much sang froid as though nothing unusual had happened.

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Inasmuch as a picture of Ouray is given in this book, the principal city near where the Marlows live, a few words about the town may not be out of place.

Ouray is not only a city of mining and of business but it is also a city of schools, churches and homes. Here is every facility for all the comforts which go to make up life's happiness, and the eastern man who comes out here among the mountains of the great West need have no fear of going through with any of the trials, dangers and hardships of the pioneer. He reaps the benefits of the pioneer, but the rough places in the path of success have been all smoothed over and obliterated.

The early pioneers of this section suffered and died that we might inherit this glorious and God-given spot on earth. The struggle with them was a nightmare at first, red with blood and dire with woeful want, and they were parched, starving, and lonely beyond our pencil's power to tell. But here was nature's great storeroom of mineral and granary of wealth, and man of to-day has but to turn the key to enter and partake.

All these great inducements are open to the world, and a welcome hand is extended to the stranger from every land to come here and help dig the wealth from the hills and garner the harvests from the fertile valleys.

Years and epochs mark but one swath of the relentless scythe of Father Time. For cycles more than you or we can



IN HIDING.



count these mountains with their buried wealth, these valleys and table lands with their untold possibilities of joyous harvests, were owned through the rights of squatter sovereignty by the more or less noble red man and his near relations, the wolf, the coyote, the bear and mountain lion, and the stone and the pine were used in the rude construction of prehistoric implements.

How different now!

The red man and the wild beast have been subdued and the relentless paleface townsite boomer, the real estate agent, the land investors and other bunco steers have usurped their places, and--can you believe it? right here to-day, among these mountains whose lofty peaks tower far beyond the clouds and seemingly would shut out all civilization, glares the electric light, plainly the rush of the city water can be heard, while out upon the streets sound the rumble and rush of the traffic belonging to a metropolitan city.

Many will remember the cattle drives made in the early days from Texas and the Indian Territory to Caldwell and Wichita, Kansas, where a market for the great herds was found. The Marlow brothers put in nearly five years at this work, because they were born and bred to an outdoor existence and preferred it to any other. They often refer to it now as the five years they put in on the hurricane deck of a Texas pony.

It is great sport to make a cattle drive for those who are toughened to stand it, though to those luxuriously inclined the sleeping out of doors in all kinds of weather and the long continuous life in the saddle would seem hard to bear.

It is a picturesque sight to see them rounding up the cattle, drifting with them in a storm and singing them to sleep when camping time in the evening arrives. A half dozen or more of the cowboys ride round and round the herd, slowly, and chant in a monotone some old religious hymn. In less than twenty minutes every head of cattle in the drove

will lie down and complacently chew their cud. Cattle always have to be sung to sleep on the plains.

Wichita was a wild western frontier cattle town and trading post in those days—not much like the elegant city it is to-day—and many were the laughable incidents witnessed there by the Marlows.

Texas Jack was marshal there for a time, and it was not at all infrequent for it to be necessary for him to kill a man in the discharge of his duty. He got quite a wide-spread reputation in this way, and started a good-sized private burying ground of his own.

One day the stage brought in a veritable tenderfoot from the East, who came out for a taste of roughing it, and the usual crowd gathered at the inn to see who had arrived from the "states." Among others were "Curley's" crowd. "Curley" was a noted local tough who was always followed by half a dozen "characters," and who was known far and wide as a "bad man." "Curley" always kept an eye peeled for tenderfeet, and delighted to have a bit of sport at their expense, in which he was usually successful. So stepping up to the new comer he slapped him on the back with a heartiness which nearly dislocated his spinal column, and said:

"Say, stranger, come and have a drink."

"Beg pardon, sir," replied the young man from the East, as he wiped the tears from his eyes, which "Curley's" whack on the back had caused to accumulate, "but I don't drink."

"You don't drink? D'ye mean to insinuate that you'r to d——n fine-haired to drink with the likes o' me."

"Certainly not, sir, certainly not, only I ——"

"Look here, stranger, anybody wot's to d——n pert to drink with "Curley" Charley has got to fight, and ye can take yer choice right now between guns or knives."

The gentleman from New York concluded he preferred to take the drink, so all followed "Curley" into the bar room and "irrigated." Then the stranger took a seat as far away from the rest as he could conveniently get, while the others continued to drink. Pretty soon two of them commenced to

practice broadsword exercise with a couple of nine-inch bowies over the stranger's head, and his eyes stuck out like door knobs. One of these was "Curley" himself, who roared with laughter every time the eastern man would dodge as one of the knives would shed a shower of sparks in his face, but suddenly paused as a tall and broad shouldered cattle man standing near drew a large Colt's revolver, and, cocking it, presented it at "Curley" and said:

"Let up, now, and git."

"What d'ye mean?" growled "Curley."

"Mean just what I say, you git or I'll plug you."

Curley looked at the open door to which the cattleman pointed, glanced at the big revolver on a line with his head, and at the eye of the man who held it in his hand, and then without a word walked out and disappeared. His crowd followed him and the cattleman put his gun back in his pocket.

Next day, after taking a wash at the pump and wiping on the long and grimy towel which hung from a roller in the "office," the young tourist remarked to the booted and spurred landlord:

"Say, friend, while I am out here in the West I should like very much to have a real buffalo steak for supper. Could you accommodate me?"

"Buffalo?"

"Yes. It is obtainable, is it not? I shall be glad to pay any extra charges, don't you know."

The landlord looked the stranger over thoroughly for a moment, and then deliberately squirted about a teacupful of tobacco juice on his highly polished shoe, after which he turned on his heel and strode away. Pausing at the doorway he turned around, looked hard again at the stranger and remarked:

"Buffalo! Well I'll be damn!"

The fact was that buffalo was so much cheaper than any other meat that there had been nothing else in the house for six months, and the eastern man had been eating it every

day, under the impression that it was a very tough article of Texas steer.

Next morning the chap from the East was seen booking his name to return home on the next stage, and to a real estate agent who was trying to induce him to remain, he said:

"Aw, by Jove, a man's life is not safe here a minute, don't you know."

"Perfectly safe, sir, when you get used to it," replied the real estate man. Why, there hasn't been a killing here for over a week."

"Yes, but look at that awful fellow who made me drink liquor with him."

"Oh, that was Curley Charley. He means well enough."

"Well, that other man would have shot him if he hadn't went away when he told him, wouldn't he?"

"Likely he would, as he's pretty determined when he says anything, but he was taking your part, and didn't want to see you abused. That's George Marlow, and he's the kindest hearted man in all this country, and he never gets into a muss of any kind, 'less might be like the other day when he wouldn't stand by and see one small man picked onto by a lot of big ones."

"Well," replied the tourist, "if I was to be killed I'd as soon be killed by the worst man in the world as the best one, and I guess I'll go home."

"All right," said the other, as he turned away. "Next time you come west you better bring along a nursing bottle and some fresh milk."

Every day and almost every hour now, as this is being written, the Marlow brothers are expecting to receive a call to go to Texas again as witnesses for the government against the members of that lawless mob, now imprisoned there.

On the journeys they are met at Trinidad by the following field deputies, who act as their guard: George A. Knight, United States marshal; Hufenton, Lon Burson, D.

E. Yokum, R. Yekum, M. C. Gee, F. J. Peland, A. R. Smith, S. M. Hustson, Fred Knight, John D. Rodney, T. White, Cap. White, John White, John B. Grand and John Kinney, deputies.

In addition to these thirty five special deputies are sworn in during the session of court, making in all a guard for them of fifty-two men.

They go fifteen in a bunch to meals and are ever on the alert for treachery from the mob sympathizers. A more genial and hearty set of men than this body of guards would be hard to find, and they manage to get a good deal of enjoyment out of their long and somewhat tedious waiting through the lengthy sessions of the Federal court. They get out and run races for exercise, and indulge in all manner of games and pranks, and when evening comes they put in the time smoking and telling yarns of more or less interest relative to life and adventures in the West.

One evening during the last trial, George, Charley and the half a hundred guards were making themselves as comfortable as circumstances would permit, smoking their pipes and lounging around on their beds and blankets, when, as the hour was early, it was suggested that ten minute stories should be told of actual experiences, and the teller of the poorest yarn should be taxed the wine and cigars for the crowd. Accordingly Field Marshal John Kinney started the ball rolling as follows:

LONG SWEETENING.

"One day last summer when I and a friend took a trip through Arkansas, we got exceedingly tired and hungry, and stopped at a farm-house for dinner. We got about what we expected—bacon and potatoes, soggy salt raisin' bread, and black chickory coffee.

"'Will ye hev long or short sweetenin'?' asked the mistress of the house.

"My friend didn't know just what he was getting himself in for, but ventured a preference for long sweetening. Tho

The hostess dipped a long, grimy forefinger into a pan of thick, gummy sorghum syrup, withdrew it with its sticky burden, thrust it into the coffee cup, stirring it until dissolved, and passed over the decoction. I promptly expressed my desire for coffee without any sweetening at all."

MIGHTY PERTICULAR.

"That," remarked Deputy A. R. Smith, "reminds me of one time I stopped at a ranch over in the Territory near the Kansas line and asked for a glass of milk. An old woman brought out a pan thick with cream, which she sat on the table. A peculiar bump was visible in the center of the pan, under the cream. The old lady peered at it through her spectacles.

"'Nother of them pesky mice,' she exclaimed. She reached in and drew the victim from his milky grave by the tail. Holding it above the pan with one hand she took the finger and thumb of the other and "stripped" it of its coating of cream. I had been brought up among the Quakers, and my belief that cleanliness is next to Godliness was deep rooted, so I changed my order to water at once.

"'Why, ye don't mind a little thing like that, do ye?' asked the lady. 'My folks wouldn't a keered if it had been full of mice.'"

EVEN EXCHANGE NO ROBBERY.

After the laugh had gone round, the next man, Deputy R. Yokum, knocked the ashes out of his pipe and said:

"Speaking of the simple minded agricultural classes to be found pretty much all over the West, reminds me of an occurrence which I witnessed at the little inland backwoods village of Talleyrand, Iowa, years ago. In the Bushy Bend bottoms of the Skunk river there lives a set of the most uncouth natives you ever heard of, and one morning Ike Yike, a 'bushy bender,' rode a skinny old mule into Talleyrand and stopped at the office of the justice of the peace.

"'Mornin', 'squir,' he said. 'I want to get a lawsuit.'

"What about?" asked the justice.

"Well you know that sheep-stealin' Zeke Ash, don't ye?"

"Yes, you and Zeke had a fight?"

"Wusser'n that," said Yike, "a thunderin' sight wusser'n that. That Zeke Ash is too mean to sleep good."

"Well, what has Zeke done?" asked the justice.

"Done? You'd better ask what he hasn't done. He's up an' left his own family and ran off with my wife, that's what he's done, and I want him yanked up for it."

"Well," said the justice, "this is serious. Do you know where they have gone?"

"They've gone down the river about nine miles, to Coppick Ford, and they're a livin' in one of old Coppickses cabins."

"The justice learned all he could about the matter, issued a warrant for the arrest of both the man and woman, sent the constable after them, and instructed Yike to appear the next day as a witness. Yike then went to a saloon and related his bereavement to a crowd of loafers and told them that he had a warrant issued for Ash's arrest."

"Oh, pshaw," said one of the loafers; "I wouldn't arrest him, I'd show my spunk and get even with him in some other way."

"Yike hung his head for a minute and then slapped his knees and said: 'I'm blasted if I han't thought of a bilin' good plan. Jist wait till to-morrow an' see who's smartest Zeke Ash or me,' and he rode away."

"The next day when Zeke Ash and Yike's wife were arraigned before the justice Yike was not there to prosecute. The justice sent the constable out to see if any of Yike's neighbors were in town in order that he might learn why Yike did not appear. The constable found and brought in old Jake Grisson, and when he was asked if he had seen Yike he replied:

"Yes, sir, I seed 'im this mornin' bout sun peep."

"Where is he?" asked the justice.

"Him and Zeke Ash's wife wus a runnin' off together."

A JOKE AND A FIGHT.

"One time," spoke up George Marlow, "when we were helping drive a big bunch of cattle through the Indian Territory, a little band of Indians rode up and asked me for a steer for beef, and said they were hungry and had no meat. My brothers and I had always been kind to the Indians in little matters like that, so they came to us this time the first thing. We told them to go to the boss about it, and likely he would give them a critter, and we also gave them some pointers as to how they should proceed to get a good one. So they struck the boss for a donation, and he picked out the stubbiest, sickliest and most runty little yearling there was in the whole bunch and gave it to them. Charley and I winked at the bucks as they started through the herd with their sickly little yearling, and as soon as they got pretty well toward the middle of the bunch they gave the most blood curdling yells you ever heard and the entire bunch of cattle stampeded in forty different directions. There was upwards of a thousand of 'em and in rounding 'em up again of course us boys all had our hands full, and had no time to spare to look after the Indians. Well, sir, those red rascals took advantage of the stampede to drop their little runt of a yearling and cut out the fattest and best four-year-old steer in the bunch, and before we knew it they were two or three miles over the prairie and out of sight. Just like an Indian to be up to such tricks, wasn't it?"

"On the same way," continued George, "Charley whipped a man who was big enough to have made a breakfast of him. He was a butcher, and after the drive was over we had contracted and delivered some mutton to him. He would not pay for the last three or four head, and so Charley and I went over to his place to take the sheep back again. To this the butcher objected, and so Charley made the proposition that he should either pay for the mutton or have the price taken out of his own hide by a good thrashing. The butcher laughed at the idea of a young fellow like Charley was then

bracing up to a big bully like he was, and readily agreed to the proposition, whereupon they both shed their coats and went at it. I felt sure Charley would get badly whipped, but I would not have interfered, no matter how badly he got the worst of it, for we always believe in fair play to all sides. Well, it didn't seem to be more than five minutes before Charley had that great big double-fisted butcher completely knocked out, and he roared for mercy like a stuck pig. In the meantime I had loaded the sheep into our wagon, and we drove off with them without another word of remonstrance from Mr. Butcher, who forever after was among our best friends and supporters. He would fight for us to-day."

A FRONTIER BANK.

"Just after the war, when there were not many white people living in Kansas," slowly and impressively commenced Deputy M. C. Gee, "I was stopping in a little town down near Lawrence. There was a bank there, and just at noon one day, when the place was deserted by all sxept the cashier, a rough-looking chap from down in the station stepped up to the wicket, and drawing a revolver from a pocket in his buckskin shirt he rested the barrel of it on the edge of the counter and said:

"'I am Buckskin Joe.'

"'Yes?'

"'Shell out!'

"The cashier reached around for a \$2 bill and laid it and before him.

"'Hand out the boodle, or I'll let daylight through you!' was the stern command.

"'There it is,' was the calm reply.

"'Don't monkey with me! Hand over the funds!'

"'There is every dollar we have in the bank. Come around here and see for yourself.'

"'But—but——'

"Easy enough explained. The president and cashier sloped in company last night and this is the bill they over

looked. I'm the teller, and I'm standing here in hopes to take in enough to pay my fare to Chicago.'

"'And the snanty is busted?'

"'As you see. Sorry for you, old boy, but you ought to have dropped in yesterday. Please do me the favor to keep still as you go out. I've been lynched twice in this state and I don't admire the sensation.'"

AN ARIZONA SOCIETY EVENT.

"Well, Gee,' said Deputy G. A. Knight, "it is safe to say that you won't have to pay the wager of wine and cigars. Now, as you all know, I am not much of a story teller, but I have a newspaper clipping here in my pocket-book which I wrote up for an Arizona paper in the early days when I was a sort of traveling reporter for them, besides being a hunter and trapper. It is about a double wedding which I myself had the gall to perform on two loving bucks and squaws of the Comanche tribe, and bein's it's original with me I'll read it now:

"'We came pretty near not being able to write up this week on account of an over indulgence in the embalming fluid which was served on the reservation, at the marriage of You-may-look-but-you-mustn't touch Wunghaw, the daughter of Dying Jack Rabbit, to half-breed Ike, the janitor of Gilligan's hall. The grand march to the altar was accompanied by an organette which could play only 'Chippy Get Your Hair Cut,' but it made no difference to the happy young couple who were so soon to be made one. They could under the circumstances have marched in time to the humming of a planing mill. Ye editor, in the absence of better material, officiated, the justice of the peace being drunk. And standing before the altar, which consisted of a hard-tack box, he proceeded to make them one. As the soul-stirring strains of the organette pealed forth, the bride dressed in a becoming traveling dress of burlap cloth, striped tastefully with red paint, and cut P-shaped at the bottom, put forth her index foot in time with the music,

followed by every squaw in the tribe, who insisted upon acting as bride's maids. As You may-look-but-you-mustn't-touch Wunghaw closed up on us she reached into her reticule, took a fresh chew of tobacco, and said, 'me want husband.' At these words half breed Ike sprang out from behind a teppe, becomingly attired in a pair of overalls, and a plug hat, and grabbing the young thing by the hand, looked at us in an appealing sort of way, that we found it impossible to resist, and though we never expect to be forgiven, we married them as best we could, with no previous training. The ceremony being over, the happy young couple who had just embarked on their matrimonial voyage were left to bill and coo to their heart's content, while Dying Jack Rabbit took us off where the above mentioned embalming fluid was on tap. Mrs. Dying Jack Rabbit, with the help of her two charming daughters served the fluid, occasionally taking a nip themselves, and thus the festivities proceeded. Mrs. Dying Jack Rabbit showed off her rotund but graceful figure, in an army blanket cut a la princesse peliesse. A large solid iron horseshoe hung at her throat, and with hat cocked on one side, and clay pipe in her mouth, she looked quite swagger, as our English cousins would say. Only-bathe-occasionally, the youngest daughter of Dying Jack Rabbit, set many a young buck's heart all a flutter with her charming manners, and the handy way in which she managed her four-foot train, which was cut over from an old stair carpet, and was becomingly trimmed about the edge with red clay. Her neck was decorated with a two-pound cow-bell, which made sweet music whenever she moved. The most striking toilet noticed at the gathering was that worn by Mrs. Cut-a-dog-in-two, a guest of Mr. and Mrs. Dying Jack Rabbit. Her costume was purely directoire, made from an antique table spread. It was originally intended to be decollete, but in cutting the pattern the ax slipped, severing the upper part of the dress at the waist.

A WOLF HUNT AND A PANTHER SCARE.

It being Charley's turn, he rolled a fresh cigarette and

meditatively running his fingers over the cartridges arrayed in a row around his belt, commenced:

"In the spring of '84, when quite a party of us—men, women and children—were camped out about forty miles west of Tuscosa, a small town in the Panhandle of Texas, we went out one afternoon, my brothers and I, to help Boone in a wolf hunt. Boone was very fond of this sport and frequently went alone, though it was rather a dangerous undertaking for a lad of his age to tackle a pack of those savage gray wolves single-handed. We fired off our guns and yelled like a band of wild Sioux for a few minutes, and the noise soon brought out about as large and fierce a pack of wolves as I ever saw. Boone dashed in among them with nothing but a revolver, and took over the prairies as fast as he could run, yelling like a crazy man. The wolves pursued him, snapping and snarling and howling while the rest of us brought up in the rear within easy gun shot. Every half a minute Boone would turn around and let drive with his six-shooter, and every time he did so a big wolf would drop, shot square between the eyes. You see we were all dead shots, for it had been a custom of ours for years for each to pay 75 cents into a common treasury upon missing a shot at anything. Well, with Boone running, loading and firing in the lead, and the balance of us keeping up a rattling fusilade in the rear we soon cleaned out that pack of wolves, and the hides we picked up over the prairie on the back trip were enough to fill a wagon box.

"After we had taken the pelts from the dead wolyes and were on the road to camp, what should we hear but an almost unearthly scream from a clump of trees down by a little creek near by. Panther! shouted Boone, and away they all dashed in the direction of the cry. The pony I was riding was a balky little cuss I had picked up down in the Nation, and when he heard that panther yell he just naturally turned into stone and refused to budge an inch. I used both whip and spur on him, but to no effect, and was about to jump off and follow the others on foot, when the panther

screamed again, and that pony started off as though the devil had stuck him from behind with a pitchfork. He took right after the rest of them, and we were pretty near catching up with them when the wild cat let out another horrible screech, almost over my head, and that tarnation horse gave about two more jumps and stopped right under the very tree where the panther was, and wouldn't move another inch.

"Well, now, gentleman, maybe you think my hair didn't stand up on end! There I was not ten feet from and immediately beneath a monstous panther, and unable to budge a foot. I whipped and spurred and yelled, but it was no go, and as I expected that animal to light down on my head every second, you bet I wasn't long climbing off that nag and making tracks. After I got off a piece I turned and let drive at Mr. Panther with my Winchester, and down he came like the falling of a brick house. That pony looked up and saw him coming, and with a short like a steam engine he gathered himself and took over the prairie like a scared rabbit. I never did see a horse run so before. He was scared from mane to tail, and as I have never seen or heard of him since I wouldn't be surprised if he was going yet. The panther measured eleven feet nine inches from tip to tip, and was a beauty."

WANTED THE EARTH.

"Ha! ha!" roared Deputy J. B. Grand, "that's pretty good, too, and now I suppose it's my turn. Well, let's see," he said as he reached over and nipped a cigar from the vest of his next neighbor, "the time you fellows had the fun up in Wichita, Charley, when the real estate agent wanted the tenderfoot to remain there, reminds me of a yarn about Wichita, too. This wasn't in the early days, but was after Wichita began to take on that big boom you have all heard about, along in '87.

"One of our boys from Texas here was up there seeing the sights and taking in the town. He had a good sized roll along with him, and was dressed up in store clothes, so a real

estate agent took him for some Easterner, and hunting up my friend's hotel he sent up his card and asked for an interview. My friend invited the land shark up to his room and the interview began:

"'You are probably seeking a real estate investment.'

"'Yes.'

"'You want an investment that will double in one year's time.'

"'I do.'

"'I have it.'

"'How much capital will be required.'

"'Ten thousand.'

"'It would be no object, sir. What can this whole town be bought for?'

"'You don't—don't mean—'

"'But I do. Go out and get me a ten days' option on the whole town, every thing included, and, if not too high, I'll close the deal and pay the cash inside of a week.'

"The agent walked softly out, his eyes as big as onions and his hair on end, and my friend was not bothered by any others. They hadn't anything rich enough for a man who could buy the whole earth."

A BARKING DOG THAT BIT.

"Speaking of cowboys," next spoke Deputy T. White, "I reckon I ran across as tough a specimen over in Oklahoma last year as ever lived. He was a regular bad man, no mistake. I was in a saloon at Guthrie, when the scrap occurred, and you may rest assured that I was among the first to take a walk, or rather a run, and I'm not much of a runner, either.

"The cowboy left his cayuse at the door and sauntered in his manly, open way up to the bar.

"'Got the dust?' asked the barkeeper suspiciously, without a sign of fear.

"'Got the dust? Who be you insultin'? Guess you don't know me. I'm a he chicken of the great American hen

bird of freedom, I am. When I sera'ch for worms the gravel flies. You hear me warble?"

"'Yes, I've heerd coyotes.'

"'But ye never heerd 'em in front of ye. Produce the licker.'

"'Lay out the sand.'

"'Must the talons of the noble chick rend the soil while his pinions beat the air or will you produce the beverage? Last call.'

"'Come, now, you git,' said the barkeeper, as he came from behind the bar with a brass faucet in his hand.

"When the barkeeper got up off the floor one sleeve of his coat was gone and both boots were off, while the others who were in the room were outside looking in the windows.

"'Say, neighbor,' said the barkeeper, as he limped back behind the bar, 'we've got three kinds of red licker and two of white. Which'll you have?'

"The cowboy drank his fire-water and after he left the barkeeper remarked to one of his regular customers:

"'Darned if that ain't the first man I ever struck that could blow and fight both.'

A TERRAPIN.

Cap. White was next in turn. He studied a moment and started out:

"'I never was much of a story teller, but as the drinks are at stake, I suppose I'd better make an attempt.

"Several years ago my friend Tom Rogers was moving his family from Joplin, Mo., to Little Rock, Ark. They crossed the Ozarks and made for the Black river in the swampy regions to see an old acquaintance they knew when they were school children.

"That was in a time when a person who could read and write was rarely seen; when boys wore dresses until they were ten years old and were not supposed to know whether they preferred milk or water at the table until they were grown up. That was a region where old men had lived so

long that their oldest children didn't know there was any other place only the one where they lived. Some of you may not believe it, but one man was known to ride a hundred miles to the little town of Moark to see a glass window——"

"Hold on there," interposed one of the listeners, "these are all to be true stories, from actual experience."

"Let him go on," said another, "we all know he'll confine himself to facts."

"Well," resumed the narrator, "as I was saying, Tom and his family, after traveling three or four days without seeing any sign of settlement, came to a house enclosed by a very rickety rail fence, on which was perched a row of children ranging from ten or twelve years of age down to a little fellow just big enough to hold on. The dress of every one of them looked like a flour sack with holes made for the arms and neck. They reminded a fellow of a lot of turtles on a log sunning themselves. They stared until they got close and then all rolled off the fence, just like a lot of turtles, and rushed into the house. Soon the woman peered cautiously out at the door and the children peeped shyly around the corners of the house, as though they had never seen strangers before.

"The gentleman of the house soon appeared. He had been to town two or three times and was not so shy as the rest of the family. Arrangements were soon made for the travelers to stop over night.

"Corn bread was the staff of life in that country, as you all know, and is yet. So they had corn bread for supper. But for breakfast Mrs. Rogers thought she would give the backwoods family a great treat by making biscuits, knowing the scarcity of flour in that section. She brought some flour in from the wagon and made the biscuits, while the housewife looked on in astonishment. The children were given a buttered biscuit each and told to wait until the old folks were through breakfast. The children held a whispered consultation, took the biscuits out of doors and laid them down behind the house. The oldest went back into the house for

a coal of fire, while another little fellow took his thumb out of his mouth long enough to whisper: 'Ma! Ma! Come out and see the terrapin crawl; Jimmy's goin' to put fire on its back!'"

A WELL FULL OF DARKIES.

"Here goes for an actual experience of mine three years ago," said Lon Burson, whose next turn it was.

"It was near Texarkana, when I happened to be over there on business. Harry Bell, a constable of that place was with me. We were caught by night several miles out from town. We jogged along slowly for the city, and had not proceeded far when we came to a farm house where a lot of darkies were gathering. We knew it was either a dance or a prayer meeting, so thought we would stop and take it in. It turned out to be a regular 'hoe down.' The music was furnished by a very self-important old 'cullad' man with a squeaking violin, accompanied by a mouth harp played by a tall, slim young chap who looked as if nothing was required to make the event a success but his manipulation of the instrument he managed.

"I tell you, gentlemen, we were the 'belles' of the ball, and were envied by every African in the house. We had had no supper yet, and as we were feeling pretty hungry, I ventured to drop a hint to that effect to Mr. Johnsing, the host, and he led us out to the kitchen, where Mrs. J. set us out the best that was left over from supper. On the table was a pepper box, filled with cayenne pepper. Bell was a devil to play jokes, and he had no sooner sighted the pepper can until a funny thought entered his head. He cut his supper short and whispered to me to hurry up. He poured the pepper into his handkerchief and put it in his pocket.

"We re-entered the ball-room, and just as they were 'all promenadin'" Harry dropped the handkerchief to the floor. We quietly made our way to the door, and slipped out. It was some minutes before the pepper began to take action. Soon one fellow rushed out to the well for a drink. As soon as he returned to the house Harry pulled me over to the

well by the coat sleeve and suggested that we set the curb over a few feet. By this time everybody in the house was sneezing, and one fellow rushed out for a drink of water. Of course he fell into the well. In that section the most of the wells are not deep and few are walled with rock, so we had no thought of the unlucky man being seriously hurt. No sooner had he fallen in than he began to yell for help.

"One nigger after the other came running out to see what the trouble was. The foremost made for the curb and met with the same fate as the first one. In less than a minute that well was full of niggers, and we moved on towards town. I wanted to wait and see how they got out, but felt that I could stay no longer."

A HUNDRED THOUSAND DOLLAR POKER GAME.

After the laugh had gone round, the pipes refilled, and various and sundries potations not drawn from the pump nor yet from nature's spring had been imbibed, Deputy M. C. Gee moved his chair out into the center of the circle, and said:

"Gentlemen, your stories have taken us through experiences of life on the trail, of mining camps, of the booms in frontier towns, of the chase, of fights and of pretty nearly everything in the category of western life and adventure. But as yet none of you have touched upon a subject which, as typical frontiersmen, we are interested in and have been to a greater or less extent mixed up in, and that is the great western game of draw poker.

"Now, the story that I am going to tell happened over in the San Juan country of Colorado, and I stake my reputation for truth and veracity upon its being an actual fact in every detail.

"Probably the most unequalled poker game that ever occurred in Colorado was one played in 1875 between General Tom Bowen, afterward United States senator, and Captain W. H. Green, clerk of Hinsdale county. The total county indebtedness of the two counties of Hinsdale and

Rio Grande was involved, the stakes being the outstanding warrants of both counties.

"General Bowen, whose fame as a poker player reaches from Little Rock to Denver, and from Denver to Washington, had recently come from Arkansas and settled down into the practice of law in the little, half agricultural, half mining town of Del Norte, the county seat of Rio Grande. His failure to secure the United States senatorship from Arkansas had bankrupted his fortunes, but had not dimmed his ambition. He was a tolerably fair lawyer and a much better politician, but his skill at draw poker eclipsed all his other qualities. Afterward, when in the senate from Colorado, his prowess at cards gave him a national reputation, and there were few of the statesmen of the period who cared to sit opposite the swarthy, sphinx-faced member from the blooming West.

"Captain Bill Green, as he was familiarly called, had earned his title in the second Colorado cavalry, and had been a brave Indian fighter in more than one campaign. At one time during the war his command was stationed at Westport, and some of the old timers of Kansas City may have crossed lances with him over the green table, for he was an inveterate lover of the seductive game of draw. He still lives in Denver, an invalid, but loves to talk over the old days when he forced many an opponent to lay down big hands before his plunging methods. Unlike Bowen, Green was a bundle of nerves that played all sorts of tricks with his face, and you couldn't tell from the tenor of his profanity whether he had a pair of deuces or a straight flush. At the time he was county clerk at Lake City and Bowen was at Del Norte the two had often sent challenges to each other, but eighty-five miles and a high mountain range intervened, and so far they had not met on the green field. The newspapers of the two towns had defended the skill and staying qualities of their champions until the entire population of the two counties had become keenly interested in the meeting which was sure to occur sooner or later.

"The meeting was hastened by fate—or may be chance. The counties of Rio Grande and Hinsdale had both been recently organized, and their respective treasuries were as empty as a cradle when the baby is gone. The expenses had for several months been paid by issuing warrants, which were worth about 60 cents on the dollar. These warrants were held by various persons, to whom they had been issued. As attorney for Rio Grande county, Tom Bowen had received \$400 or \$500 worth of these promises to pay, and it was not long before he had all the balance of the warrants in his possession. To him the method of accumulating county scrip was a simple one. Meeting the holder of a warrant, he would challenge him for a little game of draw, county scrip to be stakes. In a few weeks he owned every dollar's worth of scrip in Rio Grande county, and was sighing for more worlds to conquer

"Captain Green had not permitted his talents to go to seed. He, too, was the possessor of a fat salary warrant, and in a little while the holders of the other issues had succumbed to his by far superior prowess in holding fours and maintaining bluffs that were equally efficacious where he didn't hold fours. Then he cast his eyes toward the snow-clad peaks of the Saguache range, on the other side of which General Tom held sway, and sighed wearily for more worlds to conquer. His wish was granted.

"It was General Tom who opened hostilities. Placing his big roll of warrants in a pair of rawhide saddlebags, he mounted a mustang mule and, like Napoleon, crossed the American Alps and descended upon the valley of the Gunnison. He was escorted by a noble retinue of Rio Grande county men, prominent among whom was the editor of the San Juan Prospector, Adair Wilson, formerly of Marshall, Mo.; Alva Adams, afterward governor of Colorado; General Adams, Indian agent, and sports galore who came to make side bets on the issue.

"Captain Bill Green met his adversary at the door of

his cabin and made General Tom his honored guest. Lake City was aflame with excitement.

"General Tom and Captain Bill sat down to the game at 8 o'clock in the evening. They occupied stools placed on either side of the G. Washington hand press, the platen of which made an admirable card-table. Cuts were made for the deal. Captain Bill won it and trouble began. Messengers carried the news of the game to the various saloons from time to time, where nearly the entire population of the town might have been found laying wagers on the result. Many a mining claim, good, bad and indifferent, changed hands on the result of this historic game of draw.

"For a time the opponents played cautiously and few winnings were made. General Tom wore a slouch hat, which was pulled well down over his eyes and face, leaving little to be seen save the long, swarthy mustache and chin. Captain Bill, on the contrary, sat upright with his hat set well on the back of his head, and kept a continuous stream of profanity flowing toward the silent figure opposite. About 10 o'clock Captain Bill caught two queens and drew two more. General Tom failed to fill on three aces. As a result he parted with about \$1,000 worth of warrants, necessitating extraordinary activity on the part of the bottle-holders for a few minutes; and causing the greatest enthusiasm at the saloons when the fact was announced.

"General Tom did not permit this little disaster to disconcert him, however, and about an hour latter he found four aces and caused mourning in the camp by recouping his former loss and diminishing the pile of Hinsdale county warrants to the extent of over \$800.

"Then the fun began in earnest. The bottle-holders were compelled to appoint assistants, and first one side and then the other won. By midnight the floor of the Silver World office was covered by discarded decks, and Captain Bill added several new and original designs to his vocabulary. General Tom pulled his hat down a little lower over

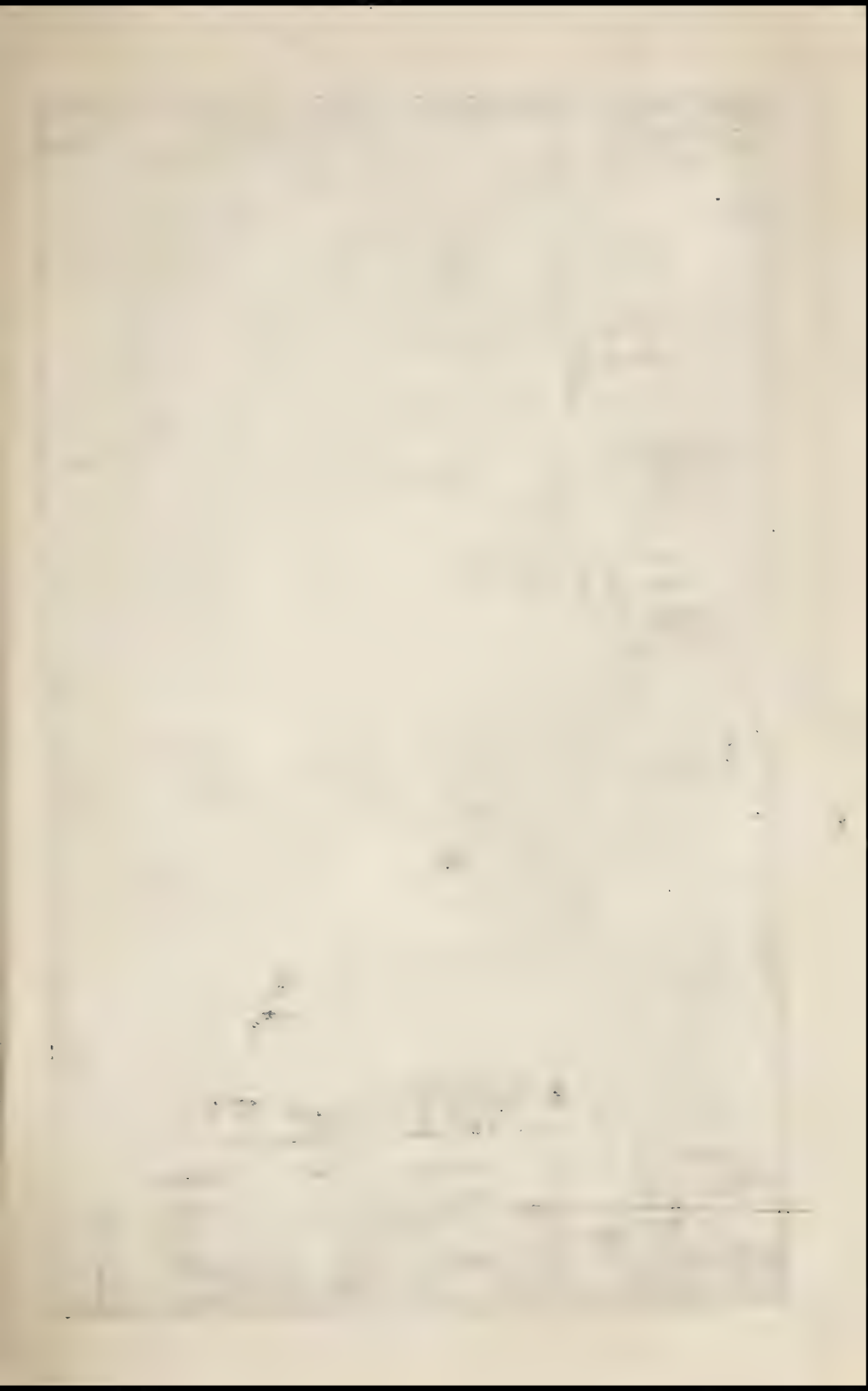
his eyes. It was evident that the final struggle was approaching.

"At 2 o'clock in the morning Captain Bill had won nearly \$2,000 of the Rio Grande scrip and General Tom's mustache showed a faint indication to curl at the ends. Then occurred a wonderful thing. Captain Bill caught four aces on the deal and gave General Tom four big diamonds. They drew one card each and began to swell the pile of warrants on the table. It was a swell, however, that resulted in woe to the house of Hinsdale. Bowen had drawn a diamond and held a straight flush. Captain Bill swore in Spanish until he was speechless, and silently parted with all his warrants except \$500 worth.

"At 5 o'clock Captain Bill had retrieved his losses to some extent, but was still badly crippled.

"Just before 9 o'clock, and as the sun was creeping over the crest of Sheep mountain, he made a final start on a pair of kings. When the draw was made he got another, while General Tom drew four cards. Captain Bill glared at the top of General Tom's hat for a minute and then shoved the last warrant to the center of the platen. The latter sat for a minute as if immersed in ice, and then slowly shoved a warrant of equal value to the center of the table. Then they laid down their hands. Captain Bill showed three kings. General Tom silently raked in the warrants. His hand contained four queens.

"At 10 o'clock a hilarious cavalcade moved out of Lake City and disappeared up the winding trail that led to the summit of Phillip's pass. At the head rode General Tom on a mouse-colored mustang mule. A pair of rawhide saddlebags swung across his saddle contained every scrip that had ever been issued by the county court of Hinsdale county. Captain Bill sat in his cabin door looking at the disappearing procession and making unintelligible signs. He had sworn himself speechless."



OURAY.



A KINDLY ACTION TO A HORSE THIEF.

Probably there was not a man in the house of all the fifty-two who had not passed through a similar experience, but on a smaller scale, and many a hand went down in trousers' pockets and brought to light from one to half a dozen ivory chips—red, white or blue.

Then Deputy Rodney spoke up, at the same time fondling a blue chip which he had cut and strung upon a neck-tie which he wore, and said:

"By the way, Charley Marlow, while you fellows have all been spinning yarns and I was a wonderin' what I'd say durin' the ten minutes allotted to me for a story (you see I ain't much of a story teller, nohow) it occurred to me that in the yarn you told about the panther and the balky horse, that you didn't give all of the day's, or rather all of the night's proceedin's, which I know from the fact that I was myself in the immediate neighborhood at the time.

"Now, you said that it was in the spring of '84, which is correct; and that it was forty miles west of Tuscosa, in the Panhandle of Texas; that is also correct. But I believe in hearin' all sides of a question, and the reason I'm goin' to tell the rest of it is because it was false modesty on your part that it wasn't included in the other yarn.

"Now then, after the panther was killed and his hide removed, and after the balky horse had disappeared in the distance, hittin' only the high places, and camp was reached, a good big supper was partaken of and all turned in, all tired out.

"Along 'bout 10 o'clock that night there was a big hub-bub among the dogs that was lyin' out among the hosses by the camp fire, and a stranger appeared at the tents, askin' for a night's lodgin' and something to eat. Did he get it? Well, I'll tell you faithfully, boys, there was never anyone applied to the Marlow's camp but what was treated white in every sense of the word. Well, this chap was taken in and fed and given a good warm berth by the camp fire, and then after the rest of us had smoked a pipe or two, to kinder ease

our nerves from being woke up, all turned in again and everything was quiet once more. Well, it might have been an hour and it might have been five or six of them, when another disturbance occurred among the dogs. Up jumps Charley and George an' Boone and the rest of 'em and what should they run into but the stranger leading off the best horse in the camp.

"Well, the boys took that fellow in, guarded him all the rest of the night, and instead of putting a bullet through the miserable horse thief the next morning, gentlemen, if they didn't give him a good warm breakfast and turn him loose, Scott free, I hope I may never be believed again as long as I live.

"That same horse thief of '84 is now a prominent merchant in the boot and shoe trade in Trinidad, Colorado."

CHAPTER XVI.

CONCLUSION.

THE story is told, and naught remains but to close this book. The Marlow brothers are to-day honored and respected citizens of Ouray county, Colorado, where with their dear old mother, their wives and chil ren, they reside in peace and harmony with all mankind.

Harbolt, Beavers and Derickson, the rascally villains who poisoned Boone Marlow, are now under a bond of \$10,000 each to appear for trial for his murder, and undoubtedly the hangman's rope awaits them. The beautiful young girl whom Boone loved, and who was finally the innocent cause of his death, has never recovered the health or spirits which were so broken by the terrible drama, and will never

cease to mourn over the tragic death of her lover at the hands of her brother and his criminal companions.

As this work is drawn to a close they are hourly expecting a summons from Texas to go again as witnesses for the government and be again actors on the stage of that blood-curdling tragedy in the last act. Let us hope that justice, though tardy, will at last be done to the murderous wretches now to be tried for their lives, and that the Marlows may be permitted to return again in safety to their mountain home, to spend in peace, quiet and happiness the remainder of their lives which have been so full of pain, trouble, suffering and adventure.

Upon receipt of 75 cents a
copy of this book will be sent to
any address in the United States
or Canada, postage paid. Ad-
dress

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